



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೮ Volume - 158	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೨೨, ಆಗಸ್ಟ್, ೨೦೨೩ (ಶ್ರಾವಣ, ೩೧, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, TUESDAY, 22, AUGUST, 2023 (SHRAVANA, 31, SHAKAVARSHA, 1945)	ಸಂಚಿಕೆ ೧೬೨ Issue 162
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 34 ಕೇಶಾಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:19.08.2023.

ದಿನಾಂಕ: 14.08.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE NATIONAL NURSING AND MIDWIFERY
COMMISSION ACT, 2023 (NO. 26 OF 2023) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-14082023-248092
CG-DL-E-14082023-248092

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 29] नई दिल्ली, सोमवार, अगस्त 14, 2023/श्रावण 23, 1945 (शक)
No. 29] NEW DELHI, MONDAY, AUGUST 14, 2023/SRAVANA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 14th August, 2023/Sravana 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th August, 2023 and is hereby published for general information:—

THE NATIONAL NURSING AND MIDWIFERY COMMISSION ACT, 2023

No. 26 OF 2023

[12th August, 2023.]

An Act to provide for regulation and maintenance of standards of education and services by nursing and midwifery professionals, assessment of institutions, maintenance of a National Register and State Registers and creation of a system to improve access, research and development and adoption of latest scientific advancement and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the National Nursing and Midwifery Commission Act, 2023.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Autonomous Board" means any of the Autonomous Boards constituted under section 11;

(b) "Chairperson" means the Chairperson of the National Nursing and Midwifery Commission appointed under section 4;

(c) "Fund" means the National Nursing and Midwifery Commission Fund referred to in section 38;

(d) "midwifery" means a skilled, knowledgeable, and compassionate care for childbearing women, new-born infants and families across the continuum from pre-pregnancy, pregnancy, birth, postpartum and the early weeks of life and includes—

(i) preventive measures;

(ii) promotion of normal birth;

(iii) detection of complications in mother and child;

(iv) accessing of medical care or other appropriate assistance;

(v) appropriate and timely referrals; and

(vi) carrying out emergency measures as per the scope of practice as specified by the National Nursing and Midwifery Commission;

(e) "midwifery associate" means a member of the health team, who has acquired the recognised qualification and is granted licence to practice as midwifery associate by the National Nursing and Midwifery Commission, who—

(i) assists doctors or nurse practitioners in midwifery in the delivery of babies; and

(ii) provides care during pregnancy, labour and postpartum period and instruct parents in baby care as per the scope of practice specified by the National Nursing and Midwifery Commission;

(f) "midwifery professional" means a person who has obtained the recognised basic or advance qualification and is granted licence to practice by the National Nursing and Midwifery Commission;

(g) "National Commission" means the National Nursing and Midwifery Commission constituted under section 3;

(h) "National Register" means the Indian Nurses and Midwives' Register maintained by the Nursing and Midwifery Ethics and Registration Board under section 25;

(i) "notification" means a notification published in the Gazette of India or the Official Gazette of a State, as the case may be, and the expression "notify" with its grammatical variation and cognate expressions shall be construed accordingly;

(j) "nurse" means a healthcare professional who—

(i) has completed a formally recognised programme of basic, generalised nursing education and who has acquired the requisite qualification and is granted licence to practice nursing by the National Nursing and Midwifery Commission; and

(ii) demonstrates competency in the practice of nursing;

(k) "nurse practitioner" means a licensed nurse who—

(i) has completed a formally recognised advanced education and training programme and has acquired the requisite qualification and is granted licence to practice by the National Commission; and

(ii) demonstrates clinical competencies for the scope of practice, complex decision making and have expert knowledge in the area of specialisation;

(l) "nurse practitioner in midwifery" means a licensed nurse, who—

(i) has completed a formally recognised advanced education and training programme and who has acquired the requisite qualification and is granted licence to practice by the National Commission; and

(ii) demonstrates clinical competency for the scope of practice, complex decision making and have expert knowledge in the area of specialisation;

(m) "nursing" means the autonomous and collaborative care of individuals of all ages, families, groups and communities, sick or well and includes the promotion of health, prevention of illness, care of physically ill, mentally ill, disabled and dying people in all healthcare and other community settings by—

(i) carrying out healthcare teaching;

(ii) participating fully as a member of the healthcare team; and

(iii) supervising and training nursing and healthcare auxiliaries, additional key nursing roles including advocacy, promotion of a safe environment, research, participation in shaping health policy, in-patient health systems management and education;

(n) "Nursing and Midwifery Assessment and Rating Board" means the Nursing and Midwifery Assessment and Rating Board constituted under clause (b) of sub-section (1) of section 11;

(o) "Nursing and Midwifery Ethics and Registration Board" means the Nursing and Midwifery Ethics and Registration Board constituted under clause (c) of sub-section (1) of section 11;

(p) "nursing and midwifery institution" means an educational and training institution or a research institution within India, recognised under this Act, which grants diploma or undergraduate or postgraduate or any other post degree diploma or certificate in nursing and midwifery, and includes affiliated colleges and deemed to be Universities;

(q) "nursing and midwifery leader" means any nursing or midwifery professional, who is the Dean of a nursing educational institution, or Principal or Vice-Principal of a college of nursing, or Nursing Superintendent, or Chief Nursing Officer of the Nursing and Midwifery Department, in any institution or healthcare facility and possessing such qualifications and experience as may be prescribed;

(r) "Nursing and Midwifery Undergraduate and Postgraduate Education Board" means the Nursing and Midwifery Undergraduate and Postgraduate Education Board constituted under clause (a) of sub-section (1) of section 11;

(s) "nursing associate" means a member of the health team, who has acquired the recognised qualification and is granted licence to practice as nursing associate by the National Commission, who provides care for the sick and injured including those in need of nursing care in varied health settings within his authorised scope of practice;

(t) "nursing professional" means a nurse registered with the National Commission, having basic or advance qualification and includes a nurse practitioner in any speciality;

(u) "prescribed" means prescribed by rules made under this Act;

(v) "qualification" means the level of courses such as diploma, undergraduate degree, postgraduate degree and higher qualification including certification courses, inclusive of the specified curriculum of such courses or programmes;

(w) "recognised nursing and midwifery qualification" means a nursing and midwifery qualification recognised under section 28 or section 29 or section 32, as the case may be;

(x) "registered professional" means any associate or professional in nursing and midwifery who is registered with any of the State Commissions or, as the case may be, the National Commission under section 25;

(y) "regulations" means the regulations made by the National Commission under section 52;

(z) "State Commission" means the State Nursing and Midwifery Commission constituted under section 23;

(za) "State Register" means the State Register for Nursing Professionals and Midwifery Professionals or the State Register for Nurse Associates and Midwifery Associates, maintained by State Commission under section 25;

(zb) "University" shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 and includes an institution declared to be deemed University under section 3 of that Act. 3 of 1956.

CHAPTER II

NATIONAL NURSING AND MIDWIFERY COMMISSION

National
Nursing and
Midwifery
Commission.

3. (1) The Central Government shall constitute a Commission, to be known as the National Nursing and Midwifery Commission, with effect from such date as it may, by notification, appoint, for exercising such powers and discharging such duties as are laid down under this Act.

(2) The National Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the National Commission shall be at New Delhi.

Composition
of National
Commission.

4. The National Commission shall consist of a Chairperson, sixteen *ex officio* Members and twelve Members as follows, namely:—

(a) a person having outstanding ability, proven administrative capacity and integrity and possessing a postgraduate degree in nursing and midwifery profession from any University with experience of not less than twenty years in the field of nursing and midwifery, out of which at least ten years shall be as a nursing and midwifery leader, to be appointed by the Central Government—Chairperson;

(b) one representative of the Department of Health and Family Welfare, Ministry of Health and Family Welfare, not below the rank of Joint Secretary to the Government of India who is in-charge of nursing and midwifery—Member, *ex officio*;

(c) one representative of the Ministry of Defence not below the rank of Additional Director General, Military Nursing Services to the Government of India in the Directorate General of Armed Forces Medical Services—Member, *ex officio*;

(d) one representative of the Directorate General of Health Services not below the rank of Additional Director General—Member, *ex officio*;

(e) one person representing the National Medical Commission not below the rank of Deputy Secretary to the Government of India—Member, *ex officio*;

(f) President of each of the Autonomous Boards constituted under section 11—Members, *ex officio*;

(g) three persons, not below the rank of Chief Nursing Officer or Nursing Superintendent of any of the hospitals or Dean or Principal of College of Nursing, as the case may be, to be nominated by the Central Government from Central Government hospitals or Nursing and Midwifery Institutions of repute in such manner as may be prescribed—Members, *ex officio*;

(h) one person from each of the six zones, as may be prescribed, not below the rank of Chairperson, who shall be a nursing and midwifery professional, representing the State Commissions, on biennial rotation in the alphabetical order as per the zonal distribution of States and Union territories, to be nominated in such manner as may be prescribed—Members, *ex officio*;

(i) six nursing members of eminence, one from each of the six zones, as may be prescribed, from nursing and midwifery profession of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of nursing and midwifery from any University and having experience of not less than fifteen years in the field of nursing and midwifery, out of which at least seven years shall be as a nursing and midwifery leader, to be nominated by the State Governments in such manner as may be prescribed—Members:

Provided that the States and Union territories represented under clauses (h) and (i) shall be distinct;

(j) four nursing and midwifery members of eminence, of which at least two shall be midwifery professionals, of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of nursing and midwifery from any University and having experience of not less than fifteen years in the field of nursing and midwifery, out of which at least seven years shall be as a nursing and midwifery leader, to be nominated by the Central Government in such manner as may be prescribed—Members;

(k) one person representing charitable institutions engaged in education or services in the field of nursing and midwifery and having such qualification and experience, to be appointed by the Central Government in such manner as may be prescribed—Member; and

(l) a person of eminence to be appointed by the Central Government, in such manner as may be prescribed, from amongst persons of ability, integrity and standing, who have special knowledge and professional experience in such areas including management, law, medical ethics, health research, consumer or patient rights advocacy, science and technology and economics—Member.

5. (I) The Central Government shall appoint—

(i) the Chairperson and Members referred to in clauses (a), (j), (k) and (l) of section 4;

(ii) the Secretary referred in sub-section (2) of section 8; and

(iii) the President and Members of Autonomous Boards referred in sub-sections (3), (4) and (5) of section 12,

on the recommendations of a Search-cum-Selection Committee consisting of—

(a) the Secretary, Ministry of Health and Family Welfare—Chairperson;

(b) four nursing and midwifery experts possessing outstanding qualifications and experience of not less than twenty-five years in the field of nursing and midwifery education, public health nursing education and nursing health research, to be nominated by the Central Government in such manner as may be prescribed—Members;

(c) one person, possessing outstanding qualifications and experience of not less than twenty-five years in the field of management or law or economics or science and technology, to be nominated by the Central Government in such manner as may be prescribed—Member; and

(d) an Additional Secretary or a Joint Secretary to the Government of India in-charge of nursing in the Ministry of Health and Family Welfare, to be the Convenor—Member.

Search-cum-
Selection
Committee for
appointment
of Chairperson
and Members
of National
Commission.

(2) The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson or Secretary or a Member, or within three months before the end of tenure of the Chairperson or Secretary or Member, make a reference to the Search-cum-Selection Committee for filling up of the vacancy.

(3) The Search-cum-Selection Committee shall recommend a panel of at least three names for each vacancy.

(4) The Search-cum-Selection Committee shall, before recommending any person for appointment of the Chairperson or Secretary or Member, satisfy itself that such person does not have any financial or other interest which is likely to affect prejudicially his functions as such Chairperson or Secretary or Member.

(5) No appointment of the Chairperson or Secretary or Member of the National Commission or, as the case may be, the President or Member of the Autonomous Boards, shall be invalid merely by reason of any vacancy or absence of a Member in the Search-cum-Selection Committee.

(6) Subject to the provisions of sub-sections (2) to (5), the Search-cum-Selection Committee may regulate its own procedure.

Term of office and conditions of service of Chairperson and Members of National Commission.

6. (1) The Chairperson, Secretary and Members of the National Commission referred to in clauses (i), (j), (k) and (l) of section 4, shall hold office for a term not exceeding four years, as the Central Government may notify in this behalf, from the date on which they enter upon their office and shall not be eligible for any extension or reappointment.

(2) A person who has completed the age of sixty-five years on the date of application shall not be eligible for the post of Member of the National Commission.

(3) The term of office of an *ex officio* Member shall continue as long as such Member holds the office by virtue of which he is a Member.

(4) Where a Member appointed to the National Commission under clause (i) or clause (j) or clause (k) or clause (l) of section 4, is absent from three consecutive ordinary meetings of the National Commission and the cause of such absence is not attributable to any valid reason in the opinion of the National Commission, such Member shall be deemed to have vacated the seat.

(5) The Chairperson of the National Commission and the Members of the National Commission referred to in clauses (i), (j), (k) and (l) of section 4, shall receive such salaries or travelling and other allowances as may be prescribed.

(6) Notwithstanding anything contained in sub-section (1), the Chairperson or a Member of the National Commission referred to in clauses (i), (j), (k) and (l) of section 4, may—

(a) relinquish his office by giving in writing to the Central Government a notice of not less than three months; or

(b) be removed from his office in accordance with the provisions of section 7:

Provided that, if the Central Government so decides, such person may be relieved from duties earlier than three months or be allowed to continue beyond three months until a successor is appointed.

(7) The Chairperson and every Member of the National Commission shall make declaration of his assets and liabilities at the time of entering upon his office and at the time of demitting office and also declare his professional and commercial engagement or involvement in such form and manner as may be prescribed, and the said declaration shall be published on the website of the National Commission.

(8) The Chairperson or a Member of the National Commission referred to in clauses (i), (j), (k) and (l) of section 4, ceasing to hold office as such, shall not accept, for a period of two years from the date of demitting such office, any employment, in any capacity including as a consultant or an expert, in any private nursing and midwifery institution, whose matter has been dealt with by such Chairperson or Member, either directly or indirectly:

Provided that nothing contained herein shall be construed as preventing such person from accepting an employment in a body or institution, including nursing and midwifery institution, controlled or maintained by the Central Government or a State Government:

Provided further that nothing contained herein shall prevent the Central Government from permitting the Chairperson or a Member of the National Commission to accept any employment in any capacity, including as a consultant or expert in any private nursing and midwifery institution whose matter has been dealt with by such Chairperson or Member.

7. (1) The Central Government may, by order, remove from office, the Chairperson or any other Member of the National Commission, who—

Removal of
Chairperson
or Member of
National
Commission.

- (a) has been adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as a Member; or
- (d) is of unsound mind and stands so declared by a competent court; or
- (e) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member; or
- (f) has so misused his position as to render his continuance in office prejudicial to the public interest.

(2) No Member shall be removed under clauses (e) and (f) of sub-section (1) unless he has been given a reasonable opportunity of being heard.

8. (1) There shall be a secretariat for the National Commission to be headed by a Secretary, to be appointed by the Central Government in accordance with the provisions of section 5.

Secretary and
other
employees of
National
Commission.

(2) The Secretary of the National Commission shall be a person of outstanding ability, proven administrative capacity and integrity, possessing such qualifications and experience, as may be prescribed.

(3) The Secretary shall hold the office for a term of four years and shall not be eligible for any extension or reappointment.

(4) The Secretary shall also be the Member Secretary of each of the Autonomous Boards constituted under section 11.

(5) The Secretary shall discharge such functions of the National Commission and that of each of the Autonomous Boards constituted under section 11, as may be specified by regulations.

(6) The National Commission may, for the optimum discharge of its functions under this Act, appoint such officers, and other employees of the National Commission other than the Secretary, as it considers necessary, against the posts created by the Central Government as recommended by the National Commission.

(7) The salaries and allowances payable to and other terms and conditions of service of the Secretary, officers and other employees of the National Commission shall be such, as may be prescribed.

(8) The National Commission may engage, in accordance with the procedure, such number of experts, consultants and professionals of integrity and outstanding ability, as may be specified by regulations, who have special knowledge of, and experience in such fields, including nursing and midwifery education, public health nursing, management, health economics, quality assurance, patient advocacy, nursing research, science and technology, administration, finance, information technology, statistics, nursing informatics, accounts and law, as it deems necessary, to assist the National Commission in the discharge of its functions under this Act.

(9) The National Commission may also invite, in accordance with the procedure, such number of experts and domain specialists from foreign countries to the meetings of the National Commission, as may be specified by regulations, who have special knowledge of nursing and midwifery curriculum, practical training and pattern of examination including licentiate examination of the relevant foreign country, as it deems necessary, to facilitate global mobility and employability of registered professional.

Meetings of
National
Commission,
administration,
etc.

9. (1) The National Commission shall meet at least once in every quarter at such time and place as may be appointed by the Chairperson.

(2) The Chairperson shall preside over the meetings of the National Commission and if for any reason the Chairperson is unable to attend such meeting, any other Member being the President of an Autonomous Board, as may be nominated by the Chairperson, shall preside over that meeting.

(3) Unless the procedure to be followed at the meetings of the National Commission is otherwise provided by regulations, one-half of the total number of Members of the National Commission including the Chairperson shall constitute the quorum at the meeting of the National Commission and all the acts of the National Commission shall be decided by a majority of the Members, present and voting and in the event of equality of votes, the Chairperson, or in his absence, the President of the Autonomous Board nominated under sub-section (2), shall have the casting vote.

(4) The general superintendence, direction and control of the administration of the National Commission shall vest in the Chairperson.

(5) No act done by the National Commission shall be questioned on the ground of the existence of a vacancy in, or a defect in the constitution of, the National Commission.

Powers and
functions of
National
Commission.

10. (1) The National Commission shall take all such steps as it may think fit for ensuring coordinated and integrated development of education and maintenance of the standards of delivery of services, with periodic revisions, as may be specified by regulations.

(2) The National Commission may make regulations for the purposes of performing the following functions, namely:—

(a) to frame policies and regulate standards for the governance of nursing and midwifery education and training;

(b) to regulate nursing and midwifery institutions, researches, professionals and associates;

(c) to identify and regulate any other category of nursing and midwifery profession;

(d) to provide basic standards of education, physical and instructional facilities, assessment, examination, training, research, continuing professional education and maximum tuition fee payable in respect of various categories;

(e) to provide standards for nursing and midwifery faculty and clinical facility in teaching institutions;

(f) to provide for a uniform mechanism for admission into the nursing and midwifery institutions at various levels.

Explanation.—For the purposes of this clause, it is clarified that the authority as may be designated by the Central Government shall make admissions into nursing

and midwifery institutions in such uniform manner at all India level, and the authority as may be designated by the State Government shall make admissions in the same manner into nursing and midwifery institutions at State level;

(g) to provide for a mechanism, either through final year undergraduate exam or otherwise, to ensure adequate competence of the nursing and midwifery professionals for enrolment in the National Register or State Register, as the case may be, and for granting licence to practice as a nursing and midwifery professional;

(h) to collaborate with industry and other institutions for use of cutting-edge technology and hybrid education to drive innovation and research in the field of nursing and midwifery;

(i) to integrate soft skills and elective courses in the curriculum of nursing and midwifery qualifications and to take measures to enhance skills and competency of registered professional for facilitating global mobility;

(j) to assess the nursing and midwifery requirements in healthcare, including human resources for various healthcare settings, provide mechanisms for career development pathways for all nursing and midwifery related cadres including appropriate lateral entry as applicable and advise the Central Government on matters pertaining thereto;

(k) to ensure policies and codes to ensure observance of professional ethics in nursing and midwifery profession and to promote ethical conduct during the provision of care by nursing and midwifery professionals, including nursing associates and midwifery associates;

(l) to promote, co-ordinate and frame guidelines and lay down policies for the proper functioning of the National Commission, the Autonomous Boards, the Advisory Council and the State Commissions;

(m) to ensure coordination among the Autonomous Boards;

(n) to take such measures, as may be necessary, to ensure compliance of the guidelines framed and regulations made under this Act by the State Commissions for their effective functioning;

(o) to exercise appellate jurisdiction with respect to the decisions of Autonomous Boards; and

(p) to perform such other functions as may be prescribed.

(3) The National Commission may delegate such of its functions, except the power to make regulations, to the Autonomous Boards as it may deem necessary.

(4) The National Commission shall, at least once a year, hold a meeting with the National Medical Commission, Pharmacy Council of India, National Commission for Indian System of Medicine, National Commission for Homoeopathy and National Commission for Allied and Healthcare Professions, or the corresponding National Regulator for regulating the said professions, at such time and place as they mutually appoint, to enhance the interface between different workforce categories in modern system of medicine, develop consensus on issues and promote team based approach to healthcare delivery.

(5) Every order and decision of the National Commission shall be authenticated by the signature of its Secretary.

(6) The National Commission may delegate such of its powers of administrative and financial matters, as it deems fit, to its Secretary.

(7) The National Commission may constitute sub-committees and delegate such of its powers to such sub-committees as may be necessary to enable them to accomplish specific tasks.

CHAPTER III

AUTONOMOUS BOARDS

11. (1) The Central Government shall, by notification, constitute the following Autonomous Boards, under the overall supervision of the National Commission, to perform the functions assigned to such Boards under this Act, namely:—

Autonomous
Boards.

(a) the Nursing and Midwifery Undergraduate and Postgraduate Education Board;

(b) the Nursing and Midwifery Assessment and Rating Board; and

(c) the Nursing and Midwifery Ethics and Registration Board.

(2) Every Autonomous Board referred to in sub-section (1) shall be an autonomous body which shall carry out its functions under this Act in such manner as may be specified by regulations.

Composition
of
Autonomous
Boards.

12. (1) The Nursing and Midwifery Undergraduate and Postgraduate Education Board shall have not more than two whole-time Members and not more than two part-time Members other than a President.

(2) The Nursing and Midwifery Assessment and Rating Board and the Nursing and Midwifery Ethics and Registration Board shall consist of a President, not more than two whole-time Members and not more than two part-time Members.

(3) The President of each Autonomous Board, two whole-time Members and one part-time Member of Nursing and Midwifery Undergraduate and Postgraduate Education Board, and one whole-time Member and one part-time Member of Nursing and Midwifery Assessment and Rating Board and Nursing and Midwifery Ethics and Registration Board, shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of nursing and midwifery from any University and having experience of not less than fifteen years, out of which at least seven years shall be as a nursing and midwifery leader to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5.

(4) The second whole-time Member of the Nursing and Midwifery Assessment and Rating Board, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5, shall be a person of outstanding ability and integrity, possessing a postgraduate degree in any of the disciplines of management, quality assurance, law or science and technology from any University, having hands on clinical experience of not less than fifteen years in such field, out of which at least seven years shall be as the Head of a Department or the Head of an Institute or an organisation.

(5) The second whole-time Member of the Nursing and Midwifery Ethics and Registration Board, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5, shall be a person of outstanding ability who has demonstrated public record of work on nursing or medical ethics or a person of outstanding ability possessing a postgraduate degree in any of the disciplines of quality assurance, public health, law or patient advocacy from any University and having experience of not less than fifteen years in such field, out of which at least seven years shall be as the Head of a Department or the Head of an Institute or an organisation.

(6) The second part-time Member of the Nursing and Midwifery Assessment and Rating Board, the Nursing and Midwifery Ethics and Registration Board and the Nursing and Midwifery Undergraduate and Postgraduate Education Board, shall be chosen from amongst the nursing and midwifery Members representing the State Commissions under clause (h) of section 4, in such manner as may be prescribed.

Term of office
and conditions
of service of
President and
Members.

13. (1) The President and the whole-time Members of each Autonomous Board shall hold office for a term not exceeding four years and shall not be eligible for any extension or reappointment:

Provided that the part-time Members of each Autonomous Board shall hold the office for a term of two years:

Provided further that a Member should be less than sixty-five years of age on the date of application for the office of Member.

(2) The vacancies of each Autonomous Board shall be filled in such manner as may be prescribed.

(3) The salaries and allowances payable to, and other terms and conditions of service of the President and the whole-time Members of an Autonomous Board shall be such as may be prescribed.

(4) Every part-time Member of an Autonomous Board shall be entitled for such allowances as may be prescribed.

(5) The provisions of sub-sections (4), (5), (6), (7) and (8) of section 6 relating to other terms and conditions of service, and section 7 relating to removal from the office, of the Chairperson and Members of the National Commission shall *mutatis mutandis* apply to the President and Members of the Autonomous Boards.

14. (1) Each Autonomous Board, except the Nursing and Midwifery Ethics and Registration Board, shall be assisted by such advisory committees consisting of experts as may be constituted by the National Commission, for the efficient discharge of the functions of such Autonomous Board.

Advisory committees of experts.

(2) The Nursing and Midwifery Ethics and Registration Board shall be assisted by such ethics committees of experts as may be constituted by the National Commission for the efficient discharge of the functions of such Autonomous Board.

15. (1) The experts, consultants, professionals, officers and other employees appointed under section 8 shall be made available to the Autonomous Boards in such number and manner, as may be specified by regulations.

Staff of Autonomous Boards.

(2) The foreign experts and domain specialists from foreign countries invited by the National Commission under section 8 shall also be made available to the Autonomous Boards in such number and manner, as may be specified by regulations.

16. (1) Every Autonomous Board shall meet at least once in a month at such time and place as it may appoint.

Meetings, etc., of Autonomous Boards.

(2) Every decision of the Autonomous Boards shall be made by majority of votes of its respective President and Members.

(3) Subject to the provisions of section 21, a person aggrieved by any decision of an Autonomous Board, may prefer an appeal to the National Commission against such decision within thirty days of the communication of that decision and the National Commission shall, after giving an opportunity of being heard, dispose of the appeal within a period of sixty days from the date of such appeal.

17. (1) The President of each Autonomous Board shall have such administrative and financial powers as may be delegated to it by the National Commission to enable such Autonomous Board for optimum functioning.

Powers of Autonomous Boards and delegation of powers.

(2) The President of an Autonomous Board may further delegate any of his powers to a Member or an officer of such Autonomous Board.

18. (1) The Nursing and Midwifery Undergraduate and Postgraduate Education Board shall perform the following functions, namely:—

Powers and functions of Nursing and Midwifery Undergraduate and Postgraduate Education Board.

(a) determine the minimum requirements and standards of nursing and midwifery education and examination at undergraduate level and postgraduate level, in such manner as may be specified by regulations, and oversee all aspects relating thereto;

(b) develop dynamic competency based curriculum at undergraduate level and postgraduate level, in such manner as may be specified by regulations, with a view to develop appropriate skill, knowledge, attitude, values and ethics to provide healthcare, impart nursing and midwifery education and conduct research:

Provided that the competencies shall be aligned with the needs of the national health programme, across continuum of care in varied healthcare settings in order to ensure optimum healthcare delivery system;

(c) prescribe qualifications at the undergraduate level and postgraduate level in nursing and midwifery and such other particulars, as may be specified by regulations;

(d) prescribe standards for setting up of nursing and midwifery institutions for imparting undergraduate and postgraduate courses, having regard to the needs of the country and the global norms, in such manner as may be specified by regulations;

(e) determine the standards and norms for infrastructure, faculty and quality of education in nursing and midwifery institutions providing undergraduate and postgraduate nursing and midwifery education, in such manner as may be specified by regulations;

(f) facilitate development and training of faculty members for teaching, research as well as international student and faculty exchange programmes relating to undergraduate, nursing and midwifery education;

(g) specify norms for compulsory annual disclosures, clinical facilities, faculty, digitally or otherwise, by nursing and midwifery institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, State Commissions, the National Commission and the Central Government;

(h) regulate the standards and scope of practice of registered nursing and midwifery professionals, including nurse practitioners, nursing associates and midwifery associates who have obtained the nursing and midwifery qualification as provided by the Nursing and Midwifery Undergraduate and Postgraduate Education Board, in such manner as may be specified by regulations; and

(i) regulate, in consultation with the National Medical Commission, the limited prescribing authority for nurse practitioners in all specialities, who have obtained the requisite nursing and midwifery qualification and qualify such criteria as may be provided by the Nursing and Midwifery Undergraduate and Postgraduate Education Board, in such manner as may be specified by regulations.

(2) The Nursing and Midwifery Undergraduate and Postgraduate Education Board shall, in the discharge of its duties, make such recommendations to, and seek such directions from, the National Commission, as it may deem necessary.

Powers and functions of Nursing and Midwifery Assessment and Rating Board.

19. (1) The Nursing and Midwifery Assessment and Rating Board shall perform the following functions, namely:—

(a) the procedure for assessing and rating the nursing and midwifery institutions for their compliance with the standards laid down by the Nursing and Midwifery Undergraduate and Postgraduate Education Board, shall be such as may be specified by regulations;

(b) grant permission for establishment of a new nursing and midwifery institution, or to start any postgraduate level or higher qualification course, or to increase number of seats, in accordance with the provisions of section 21;

(c) conduct inspections of nursing and midwifery institution for assessing and rating such institutions in such manner as may be specified by regulations:

Provided that the Nursing and Midwifery Assessment and Rating Board may, if it deems necessary, hire and authorise any other inspection agency or accreditation body or persons for conducting inspections of nursing and midwifery institutions for assessing and rating such institutions:

Provided further that where inspection of nursing and midwifery institution is conducted by such inspection agency or accreditation body or persons authorised by the Nursing and Midwifery Assessment and Rating Board, it shall be obligatory on such institution to provide access to such agency or person:

Provided also that the Nursing and Midwifery Assessment and Rating Board may conduct evaluation and assessment of any nursing and midwifery institution at

any time, either directly or through any other expert having integrity and experience of nursing and midwifery profession and without any prior notice and assess and evaluate the performance, standards and benchmarks of such nursing and midwifery institution;

(d) conduct, or where it deems necessary, empanel independent rating agencies to conduct, assess and rate all nursing and midwifery institutions, within such period of their opening, at such time, and in such manner as may be specified by regulations;

(e) make available on its website or in public domain the assessment and ratings of nursing and midwifery institutions at regular intervals in such manner as may be specified by regulations;

(f) take such measures, including issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the National Commission for withdrawal of recognition, against a nursing and midwifery institution for failure to maintain the minimum essential standards specified by the Nursing and Midwifery Undergraduate and Postgraduate Education Board, in such manner as may be specified by regulations:

Provided that the monetary penalty imposed shall not be less than one-tenth, and not more than five times, of the total amount charged, by whatever name called, by such institution for one full batch of students of undergraduate course or postgraduate course, as the case may be:

Provided further that the Nursing and Midwifery Assessment and Rating Board shall consult the Nursing and Midwifery Undergraduate and Postgraduate Education Board before recommending to the National Commission for withdrawal of recognition of a nursing and midwifery institution that fails to maintain the minimum essential standards specified by the Nursing and Midwifery Undergraduate and Postgraduate Education Board.

(2) The Nursing and Midwifery Assessment and Rating Board shall, in the discharge of its functions, make such recommendations to, and seek such directions from, the National Commission, as it may deem necessary.

20. (1) The Nursing and Midwifery Ethics and Registration Board shall perform the following functions, namely:—

Powers and
functions of
Nursing and
Midwifery
Ethics and
Registration
Board.

(a) maintain the National Register for all registered professionals in accordance with the provisions of section 25;

(b) approve or reject applications for registration of professionals governed under this Act;

(c) regulate professional conduct and promote nursing and midwifery ethics in such manner as may be specified by regulations:

Provided that the Nursing and Midwifery Ethics and Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Commission in a case where such State Commission has been conferred power to take disciplinary action in respect of professional or ethical misconduct by nursing and midwifery professionals under this Act;

(d) develop mechanisms to have continuous interaction with State Commissions to effectively promote and regulate the conduct of nursing and midwifery professionals;

(e) exercise appellate jurisdiction with respect to the actions taken by a State Commission under section 24; and

(f) provide for mechanisms for receiving complaints and grievance redressal.

(2) The Nursing and Midwifery Ethics and Registration Board shall, in the discharge of its duties, make such recommendations to, and seek such directions from, the National Commission, as it may deem necessary.

Permission
for
establishment
of new
nursing or
midwifery
institution.

21. (1) No person shall establish a new nursing and midwifery institution, or start any postgraduate course, or increase number of seats, without obtaining prior permission of the Nursing and Midwifery Assessment and Rating Board:

Provided that the Nursing and Midwifery Assessment and Rating Board shall consult the Nursing and Midwifery Undergraduate and Postgraduate Education Board before according or refusing to accord such permission.

(2) For the purposes of obtaining permission under sub-section (1), a person may submit a proposal to the Nursing and Midwifery Assessment and Rating Board in such form, containing such particulars, accompanied by such fee, and in such manner, as may be specified by regulations.

(3) The Nursing and Midwifery Assessment and Rating Board shall, having due regard to the criteria specified in section 22, consider the proposal received under sub-section (2) and either approve or disapprove such proposal within a period of six months from the date of such receipt:

Provided that before disapproving such proposal, an opportunity to rectify the defects, if any, shall be given to the person concerned.

(4) Where a proposal is approved under sub-section (3), such approval shall be deemed to be the permission under sub-section (1) to establish a new nursing and midwifery institution or start any postgraduate course or increase number of seats, as the case may be.

(5) Where a proposal is disapproved under sub-section (3), or where no decision is taken within six months of submitting a proposal under sub-section (2), the person concerned may prefer an appeal to the National Commission for approval of that proposal within fifteen days of such disapproval or, as the case may be, lapse of six months, in such manner as may be specified by regulations.

(6) The National Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the National Commission approves the proposal, such approval shall be the permission under sub-section (1) to establish a new nursing and midwifery institution or start any postgraduate course or increase number of seats, as the case may be, and in case the National Commission disapproves the proposal, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, after the lapse of specified period.

Explanation.—For the purposes of this section, the term "person" includes a University, trust or any other association of persons or body of individuals, but does not include the Central Government.

Criteria for
approving or
disapproving
proposal.

22. The Nursing and Midwifery Assessment and Rating Board or, as the case may be, the National Commission, shall, while approving or disapproving a proposal under section 21, take into consideration the following criteria, namely:—

(a) adequacy of financial resources;

(b) whether adequate academic faculty and other necessary facilities have been provided to ensure proper functioning of nursing and midwifery institution or will be provided within the time-limit specified in the proposal;

(c) whether adequate hospital facilities have been provided or will be provided within the time-limit specified in the proposal; and

(d) such other factors as may be specified by regulations:

Provided that subject to the previous approval of the Central Government, the criteria may be relaxed for the nursing and midwifery institutions which are set up in such areas as may be specified by regulations.

CHAPTER IV

STATE NURSING AND MIDWIFERY COMMISSIONS

Constitution
and
composition
of State
Nursing and
Midwifery
Commission.

23. (1) Every State Government shall, within one year from the commencement of this Act, by notification, constitute a State Nursing and Midwifery Commission, where no such State Commission exists in that State by a State Law, for exercising such powers and discharging such duties as may be laid down under this Act.

(2) The State Nursing and Midwifery Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the same name sue or be sued.

(3) The State Commission shall consist of the following Members, namely:—

(a) a person of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in nursing and midwifery from any University and having experience of not less than twenty years in the field of nursing and midwifery, out of which at least ten years shall be as a nursing and midwifery leader, to be nominated by the State Government—Chairperson;

(b) one Director or Additional Director or Joint Director representing nursing in the Health Department of the State Government—Member, *ex officio*;

Provided that if no such position exists in a State, the in-charge for nursing education and services may be appointed as such Member;

(c) two persons not below the rank of Dean or Head of the Department from any nursing or midwifery college or institute of the State Government—Members, *ex officio*;

(d) two persons of eminence, one from nursing and one from midwifery profession having such qualifications and experience as may be prescribed by the State Government, to be nominated by the State Government—Members;

(e) two persons of eminence, one from nursing and one from midwifery associates, to be nominated by the State Government having such qualifications and experience as may be prescribed by the State Government—Members;

(f) two persons, one from nursing and one from midwifery, representing charitable institutions engaged in education or services in connection with nursing and midwifery having such qualifications and experience as may be prescribed by the State Government, to be nominated by the State Government—Members.

(4) The Chairperson, and Members of the State Commission referred to in clauses (a), (d), (e) and (f) of sub-section (3), shall hold office for a term not exceeding four years, as the State Government may notify in this behalf, from the date on which they enter upon their office, and shall not be eligible for any extension or reappointment.

24. (1) The State Commission shall take all such steps as it may think fit for ensuring coordinated and integrated development of education and maintenance of the standards of delivery of services under this Act.

Functions of
State
Commission.

(2) The State Commission may, for the purposes of performing its functions,—

(a) enforce the professional conduct, code of ethics and etiquette to be observed by the nursing and midwifery professionals including associates in the State and take disciplinary action including the removal of name of a professional from the State Register;

(b) ensure standards of education, courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment, examination, training, research, continuing professional education as provided by the Autonomous Boards;

(c) maintain the State Registers for registered professionals;

(d) issue certification of specialisation or other forms of certification to those who practice the profession of nursing and midwifery;

(e) conduct common counselling for admission to nursing associate and midwifery associate courses regulated under this Act;

(f) provide for a skill based examination to ensure adequate competence of Nursing and Midwifery Associates before enrolment in the State Register;

(g) ensure compliance of all the directives issued by the National Commission;

(h) meet with Principals of all colleges of nursing and schools of nursing in the State at least once in every quarter to identify and resolve issues; and

(i) perform such other functions as may be entrusted to it by the State Government or Union territory Administration or the National Commission or as may be necessary for implementation of the provisions of this Act.

(3) Where a State Act confers power upon the State Commission to take disciplinary action in respect of any professional or ethical misconduct by a registered professional, the State Commission shall act in such manner as may be specified by regulations and the guidelines framed under this Act:

Provided that till such time as a State Commission is constituted in a State, the Nursing and Midwifery Ethics and Registration Board shall receive the complaints and grievances relating to any professional or ethical misconduct against a registered professional in that State in accordance with such procedure as may be specified by regulations:

Provided further that the Nursing and Midwifery Ethics and Registration Board or the State Commission, as the case may be, shall give an opportunity of hearing to the registered professional concerned before taking any action, including imposition of any monetary penalty against such person.

(4) A registered professional or any person, who is aggrieved by any action taken by a State Commission under sub-section (3), may prefer an appeal to the Nursing and Midwifery Ethics and Registration Board within a period of sixty days against such action, and the Nursing and Midwifery Ethics and Registration Board shall decide on the appeal within a period of sixty days, and the decision of the Nursing and Midwifery Ethics and Registration Board thereupon shall be binding on the State Commission, unless a second appeal is preferred under sub-section (5).

(5) A registered professional or any person, who is aggrieved by the decision of the Nursing and Midwifery Ethics and Registration Board, may prefer a second appeal to the National Commission within a period of sixty days of receipt of communication of such decision and the National Commission shall dispose of such appeal within a period of ninety days from the date of that appeal.

Explanation.—For the purposes of this Act, the expressions—

(a) "professional or ethical misconduct" includes any act of commission or omission as may be specified by regulations; and

(b) "State" includes Union territory and the expressions "State Government" and "State Nursing and Midwifery Commission", in relation to a Union territory, shall respectively mean the "Central Government" and "Union Territory Nursing and Midwifery Commission".

CHAPTER V

REGISTRATION

National
Register and
State Register.

25. (1) The Nursing and Midwifery Ethics and Registration Board shall maintain an online and live Indian Nurses and Midwives' Register containing the name, address, all recognised qualifications possessed by a nursing professional, midwifery professional, nursing associate, midwifery associate and such other particulars as may be specified by regulations.

(2) The Nursing and Midwifery Ethics and Registration Board shall maintain the National Register in such form, including digital form, and in such manner, as may be specified by regulations.

(3) The manner in which a name or qualification may be added to, or removed from, the National Register and the grounds for adding thereto or removal thereof, shall be such as may be specified by regulations.

(4) The National Register shall be a public document within the meaning of section 74 of the Indian Evidence Act, 1872.

(5) The Nursing and Midwifery Ethics and Registration Board shall make available the National Register to the public in the form of a digital portal accessible on the website of the Nursing and Midwifery Ethics and Registration Board in such manner and form as may be specified by regulations.

(6) Every State Commission shall maintain and regularly update, in digital form, the State Register for Nursing Professionals and Midwifery Professionals and the State Register for Nursing Associates and Midwifery Associates in the specified digital format and supply a physical copy of the same to the Nursing and Midwifery Ethics and Registration Board within three months of the commencement of this Act.

(7) The Nursing and Midwifery Ethics and Registration Board shall ensure dynamic and electronic synchronisation of the National Register and the State Registers in such a manner that any change in one register is automatically reflected in the other register.

26. (1) Any person having a recognised nursing and midwifery qualification shall have his name and qualifications enrolled in the National Register or the State Register for Nursing and Midwifery Professionals, as the case may be, and shall be granted a licence to practice in such manner and following such procedures, as may be specified by regulations:

48 of 1947.

Provided that a person, who has been registered in the Nurses Register maintained under the Indian Nursing Council Act, 1947 prior to the coming into force of this Act, shall be deemed to have been registered under this Act and be enrolled in the National Register or the State Register for Nursing and Midwifery Professionals, as the case may be, maintained under this Act.

(2) A citizen of India, who has obtained a nursing and midwifery qualification recognised under section 29 or section 32 from a nursing and midwifery institution established in a country outside India, shall be entitled for registration under this Act in such manner as may be specified by regulations.

(3) When a person, whose name is entered in the National Register or any State Register, as the case may be, obtains any title, diploma or other qualification for proficiency in nursing sciences or public health nursing, which is a recognised nursing and midwifery qualification under section 28 or section 29, as the case may be, he shall be entitled to have such title, diploma or qualification entered against his name in the National Register or the same State Register, as the case may be, in such manner as may be specified by regulations.

(4) The registration and licence granted under this section shall be renewed in such manner as may be specified by regulations.

27. (1) No person, other than a person who is enrolled in the National Register or State Register, shall—

(a) be allowed to practice nursing or midwifery as a qualified nursing or midwifery professional or nursing or midwifery associate;

(b) be entitled to give evidence at any inquest or in any court of law as an expert under section 42 of the Indian Evidence Act, 1872 on any matter relating to nursing and midwifery:

1 of 1872.

Provided that a foreign citizen who is enrolled in his country as a nursing and midwifery professional in accordance with the law regulating the registration of nursing and midwifery professional in that country may be permitted temporary registration in India for such period and in such manner as may be specified by regulations.

(2) Any person who contravenes any of the provisions of this section shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to five lakh rupees, or with both.

Rights of persons to have licence to practice and to be enrolled in National Register or State Register for Nursing and Midwifery Professionals and their obligations thereto.

Bar to practice.

CHAPTER VI

RECOGNITION OF NURSING AND MIDWIFERY QUALIFICATIONS

Recognition of nursing and Midwifery qualifications granted by Universities or nursing and midwifery institutions in India.

28. (1) Every nursing and midwifery qualification granted by any University or nursing and midwifery institution in India shall be listed and maintained by the Nursing and Midwifery Undergraduate and Postgraduate Education Board in such manner as may be specified by regulations, and such nursing and midwifery qualification shall be a recognised nursing and midwifery qualification for the purposes of this Act.

(2) Every University or nursing and midwifery institution in India which conducts any course for nursing or midwifery qualification, not included in the list maintained by the Nursing and Midwifery Undergraduate and Postgraduate Education Board may apply to that Board for granting recognition to such qualification.

(3) The Nursing and Midwifery Undergraduate and Postgraduate Education Board shall examine the application for grant of recognition to an undergraduate or postgraduate or speciality or clinical nurse speciality or nurse practitioner course in all specialities of nursing and midwifery qualification within a period of six months, in such manner as may be specified by regulations.

(4) Where the Nursing and Midwifery Undergraduate and Postgraduate Education Board decides to grant recognition to a nursing and midwifery qualification, it shall include such qualification in the list maintained by it and also specify the date of effect of such recognition.

(5) An institution or University aggrieved by the decision under sub-section (3) may, within sixty days from the communication of such decision, prefer an appeal to the National Commission and the National Commission shall, within a period of sixty days from the date of filing of such appeal, pass such orders as it thinks fit, after giving an opportunity of being heard.

(6) Where the National Commission decides not to grant recognition to the nursing and midwifery qualification or fails to take a decision within the specified period, the University or nursing and midwifery institution concerned may prefer a second appeal to the Central Government within a period of thirty days of the communication of such decision or after the lapse of specified period, as the case may be.

(7) All nursing and midwifery qualifications which have been recognised before the date of commencement of this Act and are included in the Part I and Part II of the Schedule to the Indian Nursing Council Act, 1947, shall also be recognised nursing and midwifery qualifications for the purposes of this Act, and shall be listed and maintained by the Nursing and Midwifery Undergraduate and Postgraduate Education Board in such manner as may be specified by regulations.

48 of 1947.

(8) If any authority within a State, being recognised by the State Government in consultation with the State Commission or any autonomous body, if any, for the purpose of granting any qualification, grants a qualification which is not recognised by the National Commission, then, such authority may apply to the National Commission to have such qualification recognised, and the National Commission may declare that such qualification, or such qualification only when granted after a specified date, shall be a recognised qualification for the purposes of this Act.

(9) Every State Government may, for the purposes of addressing or promoting public health nursing and midwifery practice in rural areas, take necessary measures to enhance the capacity of the nursing and midwifery professionals.

Recognition of nursing and midwifery qualifications granted by nursing and midwifery institutions outside India.

29. (1) Where an authority in any country outside India, which by the law of that country is entrusted with the recognition of nursing and midwifery qualifications in that country, makes an application to the National Commission for granting recognition to such nursing and midwifery qualification in India, the National Commission may, subject to such verification as it may deem necessary, either grant or refuse to grant recognition to that nursing and midwifery qualification:

Provided that the National Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.

(2) The nursing and midwifery qualification, which is granted recognition by the National Commission under sub-section (1), shall be a recognised nursing and midwifery qualification for the purposes of this Act, and such qualification shall be listed and maintained by the National Commission in such manner as may be specified by regulations:

Provided that practice by a person possessing such qualification shall be permitted in such manner as may be specified by regulations.

(3) Where the National Commission refuses to grant recognition to the nursing and midwifery qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within a period of thirty days of communication thereof and the Central Government shall dispose of the appeal within a period of ninety days from the date of such appeal.

(4) The mutual recognition of the qualifications for reciprocal registration of nursing and midwifery professionals between two countries shall be done in such manner as may be specified by regulations.

30. (1) The nursing and midwifery qualifications granted by any statutory or other recognised body in India before the commencement of this Act shall be recognised as nursing and midwifery qualifications in such manner as may be specified by the National Commission for the purposes of this Act.

Recognition of nursing and midwifery qualifications granted by statutory or other body in India.

(2) The Central Government may, on the recommendation of the National Commission, and having regard to the objects of this Act, by notification, add to, or, as the case may be, omit any category of nursing and midwifery qualifications granted by a statutory or other body in India and on such addition, or as the case may be, omission, the nursing and midwifery qualifications granted by such statutory or other body in India shall be, or shall cease to be, recognised nursing and midwifery qualifications for the purposes of this Act.

31. (1) Where, upon receiving the recommendations or report from the Nursing and Midwifery Assessment and Rating Board under section 19, or from a State Commission or a State Government or otherwise, if the National Commission is of the opinion that—

Withdrawal of recognition granted to nursing and midwifery qualification granted by nursing and midwifery institutions in India.

(a) the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, a University or nursing and midwifery institution do not conform to the standards specified by the Nursing and Midwifery Undergraduate and Postgraduate Education Board; or

(b) the standards and norms for infrastructure, faculty and quality of education in the nursing and midwifery institution, as determined by the Nursing and Midwifery Undergraduate and Postgraduate Education Board are not adhered to by any University or nursing and midwifery institution, and such University or nursing and midwifery institution has failed to take necessary corrective action to maintain specified minimum standards,

the National Commission may initiate action in accordance with the provisions of sub-section (2).

(2) The National Commission shall, after making such further inquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of the concerned University or nursing and midwifery institution, comes to the conclusion that the recognition granted to a nursing and midwifery qualification ought to be withdrawn, it may, by order, withdraw recognition granted to such qualification and direct the Nursing and Midwifery Undergraduate and Postgraduate Education Board to amend the entries against the University or nursing and midwifery institution concerned in the list maintained by that Board to the effect that the recognition granted to such nursing and midwifery qualification is withdrawn with effect from the date specified in that order.

Special provision in certain cases for recognition of nursing and midwifery qualifications.

32. Where the National Commission deems it necessary, it may, by an order published in the Official Gazette, direct that any nursing and midwifery qualification granted by a nursing and midwifery institution in a country outside India, after such date as may be specified in that order, shall be a recognised nursing and midwifery qualification for the purposes of this Act:

Provided that before providing the recognition, the equivalence in terms of curriculum, practical training and number of years of course may be examined in such manner as may be specified by regulations:

Provided further that practice by a person possessing such qualification shall be permitted in such manner as may be specified by regulations.

Derecognition of nursing and midwifery qualifications granted by nursing and midwifery institutions outside India.

33. Where, after verification with the authority in any country outside India, the National Commission is of the opinion that a recognised nursing and midwifery qualification which is included in the list maintained by it is to be derecognised, it may, by order, derecognise such nursing and midwifery qualification and remove it from the list maintained by the National Commission with effect from the date of such order.

CHAPTER VII

NURSING AND MIDWIFERY ADVISORY COUNCIL

Nursing and Midwifery Advisory Council.

34. (1) The Central Government shall constitute an advisory body to be known as the Nursing and Midwifery Advisory Council.

(2) The Nursing and Midwifery Advisory Council (hereafter in this Chapter referred to as the Advisory Council) shall consist of a Chairperson and the following Members, namely:—

(a) the Chairperson of the National Commission shall be the *ex officio* Chairperson of the Advisory Council;

(b) one officer not below the rank of Joint Secretary representing Ministry of Ayush—Member, *ex officio*;

(c) Presidents of the three Autonomous Boards—Members, *ex officio*;

(d) Secretary of the National Commission—Member, *ex officio*;

(e) one person to represent each State and each Union territory who shall be a Dean (Nursing) or Principal of a nursing and midwifery institution in that State or Union territory, as the case may be, or the representative of the State Nursing and Midwifery Commission, to be nominated by that State Government or by the Ministry of Home Affairs, Government of India in the case of Union territory—Member;

(f) the Chairman, University Grants Commission—Member, *ex officio*;

(g) the Director, National Assessment and Accreditation Council—Member, *ex officio*;

(h) one representative from Indian Council of Medical Research not below the rank of Additional Director General—Member, *ex officio*;

(i) three Directors, one each to represent the Indian Institute of Technology, the Indian Institute of Management and the Indian Institute of Science, to be nominated by the Central Government—Members, *ex officio*;

(j) Head of any three national level professional nursing and midwifery association, to be nominated by the Chairperson of the Advisory Council, so that there shall be adequate representation of major stakeholders—Members.

(3) The Members nominated under clauses (e) and (j) of sub-section (2) shall hold office for a term not exceeding four years, as the Central Government may notify in this behalf, from the date on which they enter upon their office.

35. (1) The Advisory Council shall be the primary platform through which the States and Union territories may put forth their views and concerns before the National Commission and help in shaping the overall agenda, policy and action relating to nursing and midwifery education, services, training and research.

Functions of
Nursing and
Midwifery
Advisory
Council.

(2) The Advisory Council shall advise the National Commission on measures to determine and maintain, and to co-ordinate maintenance of, the minimum standards in all matters relating to nursing and midwifery education, services, training and research.

(3) The Advisory Council shall advise the National Commission on measures to enhance equitable access to nursing and midwifery education, services, training and research.

36. (1) The Advisory Council shall meet at least once a year at such time and place as may be decided by its Chairperson.

Meetings of
Nursing and
Midwifery
Advisory
Council.

(2) The Chairperson of the Advisory Council shall preside over the meeting of the Advisory Council and if for any reason the Chairperson is unable to attend a meeting of the Advisory Council, such other Member as may be nominated by the Chairperson shall preside over such meeting.

(3) Unless the procedure is otherwise provided by regulations, two-thirds of the Members of the Advisory Council including the Chairperson shall form the quorum and all acts of the Advisory Council shall be decided by a majority of the Members present and voting.

(4) The Members nominated under clauses (e) and (j) of sub-section (2) of section 34 shall hold office for a term not exceeding four years, as may be notified by the Central Government in this behalf.

CHAPTER VIII

GRANTS, AUDIT AND ACCOUNTS

37. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the National Commission grants of such sums of money as the Central Government may think fit.

Grants by
Central
Government.

38. (1) There shall be constituted a fund to be called the National Nursing and Midwifery Commission Fund, which shall form part of the public account of India and there shall be credited thereto—

National
Nursing and
Midwifery
Commission
Fund.

(a) all fees, penalties and charges received by the National Commission and the Autonomous Boards;

(b) all sums received by the National Commission from such other sources as may be decided by it.

(2) The Fund shall be applied for making payment towards—

(a) the salaries and allowances payable to the Chairperson, Secretary and Members of the National Commission, the Presidents and Members of the Autonomous Boards and the administrative expenses including the salaries and allowances payable to the officers and other employees of the National Commission and Autonomous Boards;

(b) the expenses incurred in carrying out the provisions of this Act, including in connection with the discharge of the functions of the National Commission and the Autonomous Boards.

39. (1) The National Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

Audit and
accounts.

(2) The accounts of the National Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure

incurred in connection with such audit shall be payable by the National Commission to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the National Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of, and complete access to, records, books, accounts, connected vouchers and other documents and papers and to inspect the office of the National Commission.

(4) The accounts of the National Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the National Commission to the Central Government which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.

Furnishing of
returns and
reports to
Central
Government.

40. (1) The National Commission shall furnish to the Central Government, at such time, in such form and in such manner, as may be prescribed or as the Central Government may direct, such reports and statements, containing such particulars in regard to any matter under the jurisdiction of the National Commission, as the Central Government may, from time to time, require.

(2) The National Commission shall prepare, once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.

(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.

CHAPTER IX

MISCELLANEOUS

Power of
Central
Government
to give
directions to
National
Commission,
Autonomous
Boards and
Nursing and
Midwifery
Advisory
Council.

41. (1) Without prejudice to the provisions of this Act, the National Commission, the Autonomous Boards and the Nursing and Midwifery Advisory Council shall, in exercise of their powers and discharge of their functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to them from time to time:

Provided that the National Commission, the Autonomous Boards and the Advisory Council shall, as far as practicable, be given an opportunity to express their views before any direction is given under this sub-section.

(2) The decision of the Central Government whether a question is one of policy or not, shall be final.

Power of
Central
Government
to give
directions to
State
Governments.

42. The Central Government may give such directions, as it may deem necessary, to a State Government for carrying out all or any of the provisions of this Act and the State Government shall comply with such directions.

Power of
National
Commission
to give
directions to
State
Commissions.

43. The National Commission may give such directions, as it may deem necessary, to a State Commission for carrying out all or any of the provisions of this Act and the State Commission shall comply with such directions.

44. (1) The National Commission shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.

Information to be furnished by National Commission and publication thereof.

(2) The Central Government may publish, in such manner as it may think fit, the reports, minutes, abstracts of accounts and other information furnished to it under sub-section (1).

45. Every University and nursing and midwifery institution governed under this Act shall maintain a website at all times and display on its website all such information as may be required by the National Commission or an Autonomous Board, as the case may be.

Obligation of Universities and nursing and midwifery institutions.

46. (1) Notwithstanding anything contained in this Act, any student who was studying for a degree, diploma or certificate in any nursing and midwifery institution, immediately before the commencement of this Act, shall continue to so study and complete his course for such degree, diploma or certificate, and such institution shall continue to provide instructions and examination for such student in accordance with the syllabus and studies as existed before such commencement, and that student shall be deemed to have completed his course of study under this Act and shall be awarded degree, diploma or certificate under this Act.

Completion of courses of studies in nursing and midwifery institutions.

(2) Notwithstanding anything contained in this Act, where recognition granted to a nursing institution has lapsed, whether by efflux of time or by its voluntary surrender or for any other reason, such nursing institution shall continue to maintain and provide the minimum standards required to be provided under this Act till such time as all candidates who are admitted in that nursing institution complete their study.

47. The Chairperson, Members, officers and other employees of the National Commission and State Commissions, and the President, Members and officers and other employees of the Autonomous Boards, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

Chairperson, Members, officers of National Commission and of Autonomous Boards, to be public servants.

45 of 1860.

48. No suit, prosecution or other legal proceeding shall lie against the Government, the National Commission or any Autonomous Board or a State Commission or any committee thereof, or any officer or other employee of the Government or of the National Commission acting under this Act for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

Protection of action taken in good faith.

49. No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made in this behalf by an officer authorised by the National Commission or the Nursing and Midwifery Ethics and Registration Board or a State Commission, as the case may be.

Cognizance of offences.

50. (1) If, at any time, the Central Government is of the opinion that—

(a) the National Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or

(b) the National Commission has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act,

Power of Central Government to supersede National Commission.

the Central Government may, by notification, supersede the National Commission for such period, not exceeding six months, as may be specified in such notification:

Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the National Commission to show cause

as to why it should not be superseded and shall consider the explanations and objections, if any, of the National Commission.

(2) Upon the publication of a notification under sub-section (1) superseding the National Commission—

(a) all its Members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the National Commission, shall, until the National Commission is re-constituted under sub-section (3), be exercised and discharged by such nursing and midwifery professionals as the Central Government may direct; and

(c) all property owned or controlled by the National Commission shall, until the National Commission is re-constituted under sub-section (3), vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may—

(a) extend the period of supersession for such further term not exceeding six months, as it may consider necessary; or

(b) re-constitute the National Commission by fresh appointments and in such case the Members who vacated their offices under clause (a) of sub-section (2) shall not be deemed to be disqualified for appointment:

Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both Houses of Parliament at the earliest opportunity.

Power of
Central
Government
to make rules.

51. (1) The Central Government may, subject to the condition of previous publication, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the qualifications and experience required for a nursing and midwifery leader under clause (g) of section 2;

(b) the six zones referred to in clauses (h) and (i) and the manner of appointing Members of the National Commission under clauses (g), (h), (i), (j), (k) and (l), of section 4;

(c) the manner of nominating experts by the Central Government under clauses (b) and (c) of sub-section (1) of section 5;

(d) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (5) of section 6;

(e) the form and manner of making declaration under sub-section (7) of section 6;

(f) the qualifications and experience to be possessed by the Secretary of the National Commission under sub-section (2) of section 8;

(g) the salaries and allowances payable to and other terms and conditions of service of the Secretary, officers and other employees of the National Commission under sub-section (7) of section 8;

(h) the other functions of the National Commission under clause (o) of sub-section (2) of section 10;

(i) the manner of choosing Members under sub-section (6) of section 12;

(j) the manner of filling up of vacancies of each Autonomous Board under sub-section (2) of section 13;

(k) the salary and allowances payable to, and other terms and conditions of service of the President and Members of an Autonomous Board under sub-sections (3) and (4) of section 13;

(l) the form for preparing annual statement of accounts under sub-section (1) of section 39;

(m) the time within which, and the form and the manner in which, the reports and statements shall be furnished by the National Commission and the particulars with regard to any matter as may be required by the Central Government under sub-section (1) of section 40;

(n) the form and the time for preparing annual report under sub-section (2) of section 40;

(o) the amount of compensation for which the employees of the erstwhile Indian Nursing Council shall be entitled under the proviso to sub-section (5) of section 56; and

(p) any other matter in respect of which provision is to be made by rules for carrying out the purposes of this Act.

52. (1) The National Commission may, subject to the condition of previous publication, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.

Power to
make
regulations.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the functions to be discharged by the Secretary of the National Commission under sub-section (5) of section 8;

(b) the procedure in accordance with which experts, consultants and professionals may be engaged and the number of such experts, consultants and professionals under sub-section (8) of section 8;

(c) the procedure in accordance with which and the number of experts and domain specialists are to be invited from foreign countries for meetings of the Commission under sub-section (9) of section 8;

(d) the procedure to be followed at the meetings of National Commission, including the quorum at its meetings under sub-section (3) of section 9;

(e) steps to be taken for the coordinated and integrated development of education and maintenance of the standards of delivery of services, with periodic revision under sub-section (1) of section 10;

(f) the purposes of performing its functions by the National Commission under sub-section (2) of section 10;

(g) the manner of making available and the number of experts, consultants, professionals, officers and other employees appointed including the experts and domain specialists invited from foreign countries under section 8, to the Autonomous Boards under section 15;

(h) the manner of determining the minimum requirements and standards of nursing and midwifery education and examination at undergraduate level and postgraduate level under clause (a) of sub-section (1) of section 18;

(i) the manner of developing dynamic competency based curriculum at undergraduate level and postgraduate level under clause (b) of sub-section (1) of section 18;

(j) prescribing qualifications at the undergraduate level and postgraduate level in nursing and midwifery and such other particulars under clause (c) of sub-section (I) of section 18;

(k) the standards for setting up of nursing and midwifery institutions for imparting undergraduate and postgraduate courses, having regard to the needs of the country and the global norms under clause (d) of sub-section (I) of section 18;

(l) the manner of determining the standards and norms for infrastructure, faculty and quality of education in nursing and midwifery institutions providing undergraduate and postgraduate nursing and midwifery education under clause (e) of sub-section (I) of section 18;

(m) the manner of regulating the standards and scope of practice of registered nursing and midwifery professionals, including nurse practitioners, nursing associates and midwifery associates who have obtained the nursing and midwifery qualification as provided by Nursing and Midwifery Undergraduate and Postgraduate Education Board under clause (h), and the manner of regulating the limited prescribing authority in consultation with the National Commission under clause (i), of sub-section (I) of section 18;

(n) the manner of determining the procedure for assessing and rating the nursing and midwifery institutions for their compliance with the standards laid down by the Nursing and Midwifery Undergraduate and Postgraduate Education Board under clause (a) of sub-section (I) of section 19;

(o) the manner of carrying out inspections of nursing and midwifery institution for assessing and rating such institutions under clause (c) of sub-section (I) of section 19;

(p) the time and manner of conducting, or where it deems necessary, empanelling independent rating agencies to conduct, assess and rate all nursing and midwifery institutions, within such period of their opening under clause (d) of sub-section (I) of section 19;

(q) the manner of making available on the website or in public domain the assessment and ratings of nursing and midwifery institutions at regular intervals, under clause (e) of sub-section (I) of section 19;

(r) the measures to be taken including the manner of issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the National Commission for withdrawal of recognition, against a nursing and midwifery institution for failure to maintain the minimum essential standards specified by the Nursing and Midwifery Undergraduate and Postgraduate Education Board under clause (f) of sub-section (I) of section 19;

(s) the manner of regulating professional conduct and promoting nursing and midwifery ethics under clause (c) of sub-section (I) of section 20;

(t) the form, particulars and fee for submitting a proposal to the Nursing and Midwifery Assessment and Rating Board for the purposes of obtaining permission under sub-section (I) of section 21, under sub-section (2) of the said section;

(u) the manner of preferring appeal to the National Commission under sub-section (5) of section 21;

(v) other factors to be taken into consideration by the Nursing and Midwifery Assessment and Rating Board or, as the case may be, the National Commission while approving or disapproving a proposal under section 22, and the nursing and midwifery institutions set up in such areas which are eligible for relaxation of the criteria under the said section;

(w) the manner of taking disciplinary actions by the State Commission in respect of any professional or ethical misconduct by a registered professional under sub-section (3) of section 24;

(x) the manner of receiving the complaints and grievances relating to any professional or ethical misconduct against a registered professional in a State by the Nursing and Midwifery Ethics and Registration Board under the first proviso to sub-section (3) of section 24;

(y) the acts of commission or omission which would amount to professional or ethical misconduct under the *Explanation* to section 24;

(z) such other particulars to be specified in the online and live National Register maintained by the Nursing and Midwifery Ethics and Registration Board under sub-section (1) of section 25;

(za) the form and manner in which the National Register is to be maintained under sub-section (2) of section 25;

(zb) the manner in which a name or qualification may be added to, or removed from, the National Register and the grounds for adding thereto or removal thereof under sub-section (3) of section 25;

(zc) the form and manner in which the National Register shall be made available to the public by placing it on the website of the Nursing and Midwifery Ethics and Registration Board under sub-section (5) of section 25;

(zd) the manner of granting a registration as nursing and midwifery professional to a person who has obtained a recognised nursing and midwifery qualification and getting his name and qualifications enrolled in the National Register or the State Register for Nursing and Midwifery Professionals under sub-section (1) of section 26;

(ze) the manner of getting entered the title, diploma or qualification against his name in the National Register or the State Register under sub-section (3) of section 26;

(zf) the manner of renewal of registration under sub-section (4) of section 26;

(zg) the period and manner in which a foreign citizen may be permitted temporary registration in India under the proviso to sub-section (1) of section 27;

(zh) the manner of listing and maintaining nursing and midwifery qualification granted by any University or nursing and midwifery institution in India by the Nursing and Midwifery Undergraduate and Postgraduate Education Board under sub-section (1) of section 28;

(zi) the manner of listing and maintaining nursing and midwifery qualification granted by any University or nursing and midwifery institution in India by the Nursing and Midwifery Undergraduate and Postgraduate Education Board under sub-section (2) of section 28;

(zj) the manner of examining the application for grant of recognition to an undergraduate or postgraduate or speciality or clinical nurse speciality or nurse practitioner course in all specialities of nursing and midwifery qualification under sub-section (3) of section 28;

(zk) the manner of listing and maintaining all nursing and midwifery qualifications which have been recognised before the date of commencement of this Act and are included in the Part I and Part II of the Schedule to the Indian Nursing Council Act, 1947 under sub-section (7) of section 28;

(zl) the manner of listing and maintaining the nursing and midwifery qualification, which is granted recognition by the National Commission and the manner of practice by a person possessing such qualification under sub-section (2) of section 29;

(zm) the manner of mutual recognition of the qualifications for reciprocal registration of nursing and midwifery professionals between two countries under sub-section (4) of section 29;

(zn) the manner of examining the equivalence in terms of curriculum, practical

training and number of years of course under the first proviso to section 32;

(zo) the manner in which a person possessing necessary qualification shall be permitted to practice under the second proviso to section 32;

(zp) the procedure to be followed at the meetings of Nursing and Midwifery Advisory Council under sub-section (3) of section 36; and

(zq) any other matter in respect of which provision is to be made by regulations for carrying out the purposes of this Act.

Power of State Government to make rules.

53. (1) The State Government may, by notification, make rules for carrying out the provisions of section 23 and sub-section (9) of section 28.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for the qualifications and experience to be possessed by members to be nominated in the State Nursing and Midwifery Commission under clauses (d), (e) and (f) of sub-section (3) of section 23.

(3) Every rule made under this section shall, as soon as may be, after it is made, be laid before the State Legislature.

Laying of rules, regulations and notifications before Parliament.

54. Every rule and regulation made and every notification issued under this Act shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification; both Houses agree that the rule or regulation or notification should not be made or issued, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.

Power to remove difficulties.

55. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary, for removing the difficulty:

Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and saving.

56. (1) With effect from such date as the Central Government may appoint in this behalf, the Indian Nursing Council Act, 1947 shall stand repealed and the Indian Nursing Council constituted under sub-section (1) of section 3 of the said Act shall stand dissolved.

48 of 1947.

(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,—

(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or

(c) any penalty incurred in respect of any contravention under the Act so repealed; or

(d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed.

(3) On the dissolution of the Indian Nursing Council, the person appointed as the President and every other person appointed as the Member of the Indian Nursing Council shall vacate their respective offices and such President and other Members shall be entitled to claim compensation, fees and allowances for the premature termination of term of their office for a period not exceeding ninety days.

(4) Every officer who has been appointed on deputation basis in the Indian Nursing Council shall, on its dissolution, stand reverted to his parent cadre, Ministry or Department, as the case may be.

(5) The services of other employees who have been, before the dissolution of the Indian Nursing Council, employed on regular basis by the Indian Nursing Council, shall continue for no longer than one year after the enactment of this Act, as an interim arrangement and thereafter, further continuity or otherwise of their services shall be determined by the National Commission on the basis of their performance appraisal or evaluation:

Provided that such employees of the erstwhile Indian Nursing Council shall be entitled to compensation which shall not be less than three months' pay and allowances, as may be prescribed.

48 of 1947. (6) Notwithstanding the repeal of the Indian Nursing Council Act, 1947, any order made, any licence to practice issued, any registration made, any permission to start a new nursing college or institution, or to start higher course of studies, or for increase in the admission capacity granted, or any recognition of nursing qualifications granted, under the said Act, which are in force as on the date of commencement of this Act, shall continue to be in force till the date of their expiry for all purposes, as if they had been issued or granted under the provisions of this Act or the rules or regulations made thereunder.

57. (1) The National Commission shall be the successor in interest to the Indian Nursing Council including its subsidiaries or owned trusts and all the assets and liabilities of the Indian Nursing Council shall be deemed to have been transferred to the National Commission.

Transitory provisions.

48 of 1947. (2) Notwithstanding the repeal of the Indian Nursing Council Act, 1947, the educational standards, requirements and other provisions of the said Act and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made thereunder:

Provided that anything done, or any action taken, as regards the educational standards and requirements under the enactment under repeal and the rules and regulations made thereunder, shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or by any action taken under this Act.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-58

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 35 ಕೇಶಾಪ್ರ 2023
ದಿನಾಂಕ:19.08.2023.

ಬೆಂಗಳೂರು,

ದಿನಾಂಕ: 14.08.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE COASTAL AQUACULTURE AUTHORITY
(AMENDMENT) ACT, 2023 (NO. 27 OF 2023) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-14082023-248093
CG-DL-E-14082023-248093

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 30] नई दिल्ली, सोमवार, अगस्त 14, 2023/श्रावण 23, 1945 (शक)
No. 30] NEW DELHI, MONDAY, AUGUST 14, 2023/SRAVANA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 14th August, 2023/Sravana 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th August, 2023 and is hereby published for general information:—

THE COASTAL AQUACULTURE AUTHORITY (AMENDMENT) ACT, 2023

No. 27 OF 2023

[12th August, 2023.]

An Act amend the Coastal Aquaculture Authority Act, 2005.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Coastal Aquaculture Authority (Amendment) Act, 2023. Short title and commencement.

(2) Save as otherwise provided, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

Amendment
of section 2.

2. In section 2 of the Coastal Aquaculture Authority Act, 2005 (hereinafter referred to as the principal Act), in sub-section (1),—

24 of 2005.

(i) for clause (a), the following clauses shall be substituted, namely:—

'(a) "aquaculture input" means any material used as an input in coastal aquaculture for the maintenance of quality of water and soil and for the growth and better health of organisms reared, or other aquatic life available, therein and includes seed, fertilizer, feed, growth supplement, probiotic, environment remediator and disinfectant;

(aa) "aqua mapping" means geospatial coastal area distribution maps depicting areas potential and suitable for coastal aquaculture;

(ab) "aqua zonation" means the zones of spatial planning for different species or methods of coastal aquaculture notified by a State Government or the Authority for sustainable coastal aquaculture;

(ac) "Authority" means the Coastal Aquaculture Authority established under sub-section (1) of section 4;

(ad) "biosecured facility" means a coastal aquaculture unit carrying on coastal aquaculture activity adopting such biosecurity measures for ensuring freedom from disease causing pathogens as may be specified in the guidelines issued for such activity;

(ae) "biosecurity" means any measure or strategy or integrated approach adopted to analyse, manage and prevent the risk of introduction or spread of harmful organisms, including viruses and bacteria, within the coastal aquaculture unit and to minimise the risk of transmission of infectious diseases;

(af) "Brood Stock Multiplication Centre" means a coastal aquaculture unit carrying on such coastal aquaculture activity which receives such post larvae or juvenile which are specific pathogen free or specific pathogen tolerant or specific pathogen resistant or such other post larvae or juvenile from a Nucleus Breeding Centre and rears it under strict biosecurity and close disease surveillance to ensure freedom from disease;';

(ii) for clause (c), the following clauses shall be substituted, namely:—

'(c) "coastal aquaculture" or "coastal aquaculture activity" means rearing and cultivation of any life stages of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life under controlled conditions, either indoor or outdoor, in cement cisterns, ponds, pens, cages, rafts, enclosures or otherwise in saline or brackish water in coastal areas, including activities such as production of brood stock, seed, grow out, but does not include fresh water aquaculture;

(ca) "coastal aquaculture unit" means any facility that is engaged in coastal aquaculture or any allied activity connected therewith and includes Nucleus Breeding Centre, Brood Stock Multiplication Centre, hatchery and farm;';

(iii) for clause (d), the following clauses shall be substituted, namely:—

'(d) "coastal area" means the area declared as the Coastal Regulation Zone in the Coastal Regulation Zone notification issued by the Central Government under the Environment (Protection) Act, 1986 and includes such other area as the Central Government may, by notification in the Official Gazette, specify;

29 of 1986.

(da) "coastal environment" means the area of land and water in the coastal area, including complete system of living organisms and physical surroundings therein;

(db) "farm" means a coastal aquaculture unit where culturing of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life is done under controlled conditions in ponds, pens, cages, rafts, enclosures or otherwise, in saline or brackish water in coastal areas and includes nursery rearing, but does not include fresh water aquaculture;

(dc) "hatchery" means a coastal aquaculture unit carrying on coastal aquaculture activity of breeding and seed production of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life, in saline or brackish water and includes rearing of nauplii and live feed, but does not include fresh water aquaculture;';

(iv) in clause (e), the words "and the member-secretary" shall be omitted;

(v) after clause (e), the following clauses shall be inserted, namely:—

'(ea) "Nucleus Breeding Centre" means a coastal aquaculture unit carrying on biosecured coastal aquaculture activity which has an established freedom from disease causing pathogens for the purpose of producing domesticated specific pathogen free, specific pathogen tolerant and specific pathogen resistant stocks;

(eb) "operator" means any person or firm that is engaged in the operation of the coastal aquaculture activity;

(ec) "owner", in relation to any coastal aquaculture unit, includes—

(i) his legal heirs or agent; and

(ii) an operator, a mortgagee, lessee, including sub-lessee or any other person in actual possession of such coastal aquaculture unit;

(ed) "pharmacologically active substance or antimicrobial agent" means a naturally occurring, semi-synthetic or synthetic substance that, at *in vivo* concentration, exhibits antimicrobial activity of killing or inhibiting the growth of microorganisms;';

(vi) after clause (g), the following clauses shall be inserted, namely:—

'(h) "specific pathogen free" or "specific pathogen resistant" or "specific pathogen tolerant" means free of, resistant to, or tolerant to, such pathogens as may be listed by the World Organisation for Animal Health or any other pathogen notified by the Central Government, which is specific for candidate species used in the coastal aquaculture;

(i) "State" includes Union territory.'.

3. In section 4 of the principal Act, —

Amendment
of section 4.

(A) in sub-section (3),—

(i) in clause (c), for the words "Department of Ocean Development", the words "Ministry of Earth Sciences" shall be substituted;

(ii) in clause (d), for the words "Ministry of Environment and Forests", the words "Ministry of Environment, Forest and Climate Change" shall be substituted;

(iii) in clause (e), for the words "Ministry of Agriculture", the words "Ministry of Agriculture and Farmers Welfare" shall be substituted;

(iv) in clause (f), for the words "Ministry of Commerce", the words "Ministry of Commerce and Industry" shall be substituted;

(v) after clause (f), the following clause shall be inserted, namely:—

"(fa) one member to represent the Ministry of Fisheries, Animal Husbandry and Dairying of the Central Government;"

(vi) for clause (g), the following clause shall be substituted, namely:—

"(g) one member to represent each of the coastal States and Union territories;"

(vii) clause (h) shall be omitted;

(B) after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) When the office of the Chairperson is vacant, the Central Government may, till the appointment of a new incumbent to the said office, nominate any member of the Authority to exercise such of the powers, and perform such of the functions, of the Chairperson as may be prescribed."

Amendment
of section 7.

4. In section 7 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) If the Chairperson is unable to attend a meeting of the Authority, any other member of the Authority nominated by the Chairperson in this behalf, and in the absence of both Chairperson and nominated member, any other member chosen by the members present from amongst themselves, shall preside over the meeting."

Insertion of
new section
7A.

5. After section 7 of the principal Act, the following section shall be inserted, namely:—

Committees
of Authority.

"7A. (1) Subject to any rules made in this behalf, the Authority may from time to time constitute such committees as may be necessary for the efficient discharge of its functions.

(2) Every committee shall consist of such number of persons and perform such functions and be subject to such terms and conditions as may be prescribed."

Insertion of
new section
9A.

6. After section 9 of the principal Act, the following section shall be inserted, namely:—

Secretary of
Authority.

"9A. (1) The Central Government may appoint an officer of such rank, as it considers fit, to be a Secretary of the Authority, in such manner and subject to such terms and conditions as may be prescribed.

(2) The Secretary shall function as the Chief Executive Officer of the Authority who shall be responsible for—

(a) the day-to-day administration of the Authority;

(b) drawing up of proposal for the Authority's work programmes in consultation with the Authority;

(c) implementing the work programmes and the decisions adopted by the Authority;

(d) ensuring that the tasks of the Authority are carried out in accordance with the requirements of users, in particular with regard to the adequacy of the services provided and the time taken;

(e) the preparation of the statement of revenue and expenditure and the execution of the budget of the Authority;

(f) coordinating with the Central Government and with the committees of the Authority; and

(g) legally representing the Authority in all matters.

(3) Every year, the Secretary shall submit to the Authority for approval,—

(a) a general report covering all the activities of the Authority in the previous year;

- (b) the programmes of work;
- (c) the annual accounts for the previous year; and
- (d) the budget for the coming year.

(4) The Secretary shall, after the approval of the Authority, forward the general report and the programmes to the Central Government and shall have the general report published.

(5) The Secretary shall have administrative control over the officers and other employees of the Authority.

(6) The Secretary shall approve all financial expenditure of the Authority and send a report on the Authority's activities to the Central Government."

7. In section 11 of the principal Act,—

Amendment
of section 11.

(A) in sub-section (1),—

(i) in clause (a), for the words "aquaculture farms", the words "coastal aquaculture units" shall be substituted;

(ii) in clauses (b) and (c), for the word "farms", the word "units" shall be substituted;

(iii) for clause (d), the following clause shall be substituted, namely:—

"(d) to order removal or demolition of any coastal aquaculture unit which is causing pollution after hearing the occupier of such unit;"

(iv) after clause (d), the following clauses shall be inserted, namely:—

"(da) to regulate or prohibit the number, species and method of any coastal aquaculture in such area, as may be prescribed, through planning and execution of such programmes, including aqua zonation and aqua mapping for environmentally sustainable coastal aquaculture, as may be notified by the Central Government;

(db) to fix or adopt standards, certify, monitor, regulate or prohibit coastal aquaculture inputs, including probiotics, therapeutants and such other inputs used in coastal aquaculture, as may be prescribed, for the prevention, control and abatement of detriment to the coastal aquaculture or coastal environment;

(dc) to fix or adopt standards, certify, monitor and regulate the coastal aquaculture units, including coastal aquaculture activities carried out in such units with biosecurity and close disease surveillance to ensure freedom from disease, in such manner as may be prescribed;

(dd) to fix or adopt the standards for emission or discharge of effluents from coastal aquaculture unit:

Provided that different standards for emission or discharge may be fixed for different coastal aquaculture unit having regard to the quality or composition of the emission or discharge of effluents from such sources;

(de) to collect and disseminate information in respect of matters relating to coastal aquaculture;"

(B) in sub-section (2), for the word "farm", at both the places where it occurs, the word "unit" shall be substituted.

8. In section 12 of the principal Act,—

Amendment
of section 12.

(a) for the words "land, pond, pen or enclosure", wherever they occur, the word "unit" shall be substituted;

(b) after the proviso, the following provisos shall be inserted, namely:—

"Provided further that the requirement of notice under the first proviso may be waived by the Authority, in such cases and for such reasons to be recorded in writing, as it deems fit:

Provided also that the owner shall be liable to pay the cost of demolition and cost of damage to the environment, if any, assessed in such manner as may be prescribed."

Insertion of
new section
12A.

9. After section 12 of the principal Act, the following section shall be inserted, namely:—

Prohibition of
certain
materials.

"12A. The Authority may, by an order, prohibit the use, in any coastal aquaculture activity of—

(a) such pharmacologically active substance, antimicrobial agent or other material which may cause harm to human health as may be prescribed; or

(b) aquaculture inputs containing such substance, agent or material as may be specified under clause (a)."

Amendment
of section 13.

10. In section 13 of the principal Act,—

(i) in sub-section (1), for the word "farm", the word "unit" shall be substituted;

(ii) in sub-section (3), the following proviso shall be inserted, namely:—

"Provided that the Authority may issue a certificate of registration for carrying out coastal aquaculture on the land allotted or assigned by the Government subject to such procedure and for such period, as may be prescribed, but not exceeding the period specified under clause (a) or clause (b), as the case may be.";

(iii) in sub-sections (4), (5) and (6), for the word "farm", wherever it occurs, the words "coastal aquaculture unit" shall be substituted;

(iv) for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) In the case of a farm comprising more than two hectares of water spread area and any other coastal aquaculture unit, no application for registration to commence any activity connected with coastal aquaculture shall be considered under sub-section (5) unless the Authority, after making such inquiry as it thinks fit, is satisfied that registration of such coastal aquaculture unit shall not be detrimental to the coastal environment.";

(v) in sub-section (8), with effect from the 16th December, 2005,—

(A) for clauses (a) and (b), the following clauses shall be substituted, namely:—

"(a) no coastal aquaculture shall be carried on in the ecologically sensitive areas or the geo-morphological features;

(b) no coastal aquaculture, except hatchery, Nucleus Breeding Centre and Brood Stock Multiplication Centre shall be carried on in the No Development Zone in the case of sea, and in the buffer zone in the case of creeks, rivers and backwaters;

(c) no coastal aquaculture, except seaweed culture, pen culture, raft culture and cage culture activities shall be carried on in creek, rivers and backwaters within the Coastal Regulation Zone:";

(B) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

'Explanation.—For the purposes of this sub-section,—

(i) "High Tide Line" means the line on the land up to which the highest water line reaches during the spring tide;

(ii) the expressions "ecologically sensitive areas", "geo-morphological features", "No Development Zone", "buffer zone" and "Coastal Regulation Zone" shall have the same meanings as defined in the Coastal Regulation Zone notification issued under the Environment (Protection) Act, 1986.;"

29 of 1986.

(vi) in sub-section (9), for the word "farm", wherever it occurs, the word "unit" shall be substituted;

(vii) in sub-section (10),—

(a) for the word "farm", the words "coastal aquaculture unit" shall be substituted;

(b) the following proviso shall be inserted, namely:—

"Provided that the Authority may condone the delay in making application for renewal, subject to payment of such fee for renewal of registration, as may be prescribed.";

(viii) in sub-section (11), for the word "farm", at both the places where it occurs, the words "coastal aquaculture unit" shall be substituted;

(ix) after sub-section (11), the following sub-sections shall be inserted, namely:—

"(12) The Authority may vary, amend or modify the certificate of registration issued under this section, in such manner as may be prescribed.

(13) In the event of the certificate of registration issued under this Act being defaced or mutilated or lost, the Authority may grant a duplicate certificate, on payment of such fee and in such manner, as may be prescribed."

11. After section 13 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 13A.

"13A. (1) The Authority may, by order, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Assistant Director of Fisheries in a District to function as authorised officer to exercise such powers, to discharge such duties and perform such functions, as may be specified in that order.

Authorisation of officers.

(2) The Central Government may, by notification, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Under Secretary to the Government of India, to function as an adjudicating officer, to adjudicate the penalties imposed under this Act.

(3) The Central Government may, by notification, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Deputy Secretary to the Government of India, to function as the Appellate Authority, who may affirm, vary or set aside the order passed by the adjudicating officer.

(4) The adjudicating officer or the Appellate Authority, shall, for the purposes of discharging functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:—

5 of 1908.

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of documents;

(c) requisitioning any public record or document or copy of such record or document from any office;

(d) receiving evidence on affidavits;

(e) issuing commissions for the examination of witnesses or documents.

(5) The adjudicating officer or the Appellate Authority shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973."

2 of 1974.

Substitution of new sections 14 and 14A for section 14.

12. For section 14 of the principal Act, the following sections shall be substituted, namely:—

Penalty for carrying on coastal aquaculture in contravention of provisions of Act.

"14. Where any person carries on coastal aquaculture or traditional coastal aquaculture or causes the coastal aquaculture or traditional coastal aquaculture to be carried on in contravention of any of the provisions of this Act or any rules or regulations made thereunder or any guidelines or notifications issued thereunder, an officer authorised under section 13A shall take all or any of the following actions, namely:—

(a) suspension or stoppage of any activity in a coastal aquaculture unit for such period and in such manner as may be prescribed;

(b) imposition of penalty as specified in the Table below;

(c) removal or demolition of any structure;

(d) destruction of the standing crop therein;

(e) suspension or cancellation of registration for such period and in such manner as may be prescribed.

Table

Sl No.	Coastal Aquaculture/use of prohibited materials	Offences	Penalty		
			First time offence	Second time offence	Third time and subsequent offences
(1)	(2)	(3)	(4)	(5)	(6)
1.	Farm	Non-registration.	Rupees ten thousand per hectare (or fraction of a hectare) of water spread area.	Rupees fifteen thousand per hectare (or fraction of a hectare) of water spread area.	Rupees twenty-five thousand per hectare (or fraction of a hectare) of water spread area.
		Non-compliance with the provisions of the Act, rules, regulations, guidelines and notifications, other than non-registration.	Rupees five thousand per hectare (or fraction of a hectare) of water spread area.	Rupees ten thousand per hectare (or fraction of a hectare) of water spread area.	Rupees fifteen thousand per hectare (or fraction of a hectare) of water spread area.
2.	Hatchery, Brood Stock Multiplication Centre, Nucleus Breeding Centre or such other coastal aquaculture unit	Non-registration.	Rupees fifty thousand.	Rupees seventy-five thousand.	Rupees one lakh.
		Non-compliance with the provisions of the Act, rules, regulations, guidelines and notifications, other than non-registration.	Rupees twenty-five thousand.	Rupees fifty thousand.	Rupees one lakh.

(1)	(2)	(3)	(4)	(5)	(6)
3.	Use of materials prohibited under section 12A	Contravention of the provisions of clause (a) or clause (b) of section 12A.	Rupees fifty thousand.	Rupees seventy-five thousand.	Rupees one lakh.

Appeal.

14A. (1) Any person aggrieved by an order of the adjudicating officer may within thirty days from the date on which the order is made, prefer an appeal to the Appellate Authority:

Provided that the Appellate Authority may entertain any appeal preferred after the expiry of the said period of thirty days, but before the expiry of ninety days from the date aforesaid, if it satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) No appeal under this section shall be entertained by the Appellate Authority unless the appellant has at the time of filing the appeal deposited the amount of penalty payable under the order appealed against:

Provided that on an application made by the appellant in this behalf, the Appellate Authority may, if it is of the opinion that the deposit to be made under this sub-section shall cause undue hardship to the appellant, by order in writing, dispense with such deposit, either unconditionally or subject to such condition, as it may deem fit to impose.

(3) On the receipt of an appeal under sub-section (1), the Appellate Authority may, after holding such enquiry as it deems fit, and after giving the parties concerned reasonable opportunity of being heard, confirm, modify or set aside the order appealed against, and—

(a) if the sum deposited by way of penalty under sub-section (2) exceeds the penalty directed to be paid by the Appellate Authority, such excess amount shall be refunded to the appellant; or

(b) if the Appellate Authority sets aside the order imposing penalty, the whole of the sum deposited by the way of penalty shall be refunded to the appellant.

(4) The decision of the Appellate Authority under this section shall be final."

Insertion of new section 22A.
Arrears of cost and penalty recoverable as arrears of land revenue.

13. After section 22 of the principal Act, the following section shall be inserted, namely:—

"22A. Any cost which is due and not paid as provided for by or under this Act and any sum directed to be recovered by way of penalty under section 14 shall be recoverable in the same manner as an arrear of land revenue."

Amendment of section 24.

14. In section 24 of the principal Act, in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) the powers to be exercised and the functions to be performed by the nominated member under sub-section (3A) of section 4;";

(ii) after clause (b), the following clauses shall be inserted, namely:—

"(ba) the manner of constitution of committees under sub-section (1) of section 7A;

(bb) the number of persons in the committees, their functions, and the terms and conditions of the committees under sub-section (2) of section 7A;

(bc) the manner of appointment and the terms and conditions for appointment of Secretary under sub-section (1) of section 9A;

(bd) the area in which the Authority may regulate or prohibit the number, species and method of any coastal aquaculture under clause (da) of sub-section (1) of section 11;

(be) the other inputs used in coastal aquaculture under clause (db) of sub-section (1) of section 11;

(bf) the manner of certification, monitoring and regulation of the coastal aquaculture units and the manner of carrying out coastal aquaculture activities with biosecurity and close disease surveillance to ensure freedom from disease in coastal aquaculture units under clause (dc) of sub-section (1) of section 11;";

(iii) in clause (e), for the words "land, pond, pen or enclosure under that section", the word "unit" shall be substituted;

(iv) after clause (f), the following clauses shall be inserted, namely:—

"(fa) the manner of assessing the cost of damage to the environment under the third proviso to section 12;

(fb) prohibition of such other material which may cause harm to human health under clause (a) of section 12A;

(fc) the procedure and period under the proviso to sub-section (3) of section 13;";

(v) in clause (j), after the word and figures "section 13", the words "and the fee for renewal of registration under the proviso thereof" shall be inserted;

(vi) after clause (j), the following clauses shall be inserted, namely:—

"(ja) the manner of varying, amending and modifying the certificate of registration under sub-section (12) of section 13;

(jb) the fee for grant of duplicate certificate and the manner of granting it under sub-section (13) of section 13;

(jc) the period and manner of suspension or stoppage of activity in a coastal aquaculture unit under clause (a) of section 14;

(jd) the period and manner for suspension or cancellation of registration under clause (e) of section 14;".

15. In section 25 of the principal Act, in sub-section (2), in clause (d), for the word "farms", the word "units" shall be substituted.

Amendment
of section 25.

16. In section 27 of the principal Act,—

Amendment
of section 27.

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Notwithstanding anything contained in clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 or clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, in the Coastal Regulation Zone Notification or the Island Coastal Regulation Zone Notification issued by the Government of India in the Ministry of Environment, Forest and Climate Change, in exercise of the powers conferred under the said Environment (Protection) Act, in the paragraph dealing with prohibited activities, after the last sub-paragraph, the following proviso shall be inserted and shall always be deemed to have been inserted with effect from the 19th day of February, 1991, namely:—

"Provided that nothing contained in this paragraph shall apply to coastal aquaculture.";

(b) in sub-section (2), the word "farm's" shall be omitted.

Insertion of
new section
28.

17. After section 27 of the principal Act, the following section shall be inserted, namely:—

Validation of
certain
provisions and
amendments
retrospectively.

"28. (1) Where a coastal aquaculture and activities connected therewith has been granted registration under this Act, then, notwithstanding anything contained in clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, or clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 or in any other law for the time being in force:—

29 of 1986.

(i) such registration granted under this Act shall prevail and remain valid;

(ii) such coastal aquaculture and activities connected therewith shall be a permitted activity under the Coastal Regulation Zone Notification or the Island Coastal Regulation Zone Notification issued under the Environment (Protection) Act, 1986;

29 of 1986.

(iii) all registrations granted for coastal aquaculture and activities connected therewith under this Act shall be valid permissions under the applicable rules, regulations and notifications notified under the Environment (Protection) Act, 1986 from time to time.

29 of 1986.

(2) The provisions of sub-section (1), and the provisions of sub-section (8) of section 13 as amended retrospectively with effect from the 16th December, 2005 by the Coastal Aquaculture Authority (Amendment) Act, 2023, shall have and shall be deemed always to have effect for all purposes as if they had been in force at all material times, and accordingly,—

(i) notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, any action taken or anything done or purported to have been taken or done in accordance with the said provisions shall be deemed to be, and always to have been, for all purposes, as validly and effectively taken or done as if the said provisions had been in force at all material times;

(ii) no suit or other proceeding shall be instituted, maintained or continued in any court for any action taken or anything done or omitted to be done in accordance with the said provisions; and

(iii) no enforcement shall be made by any court of any decree or order or direction relating to removal or closure of any coastal aquaculture activity or demolition of any structure connected therewith or relating to any action taken or done or omitted to be done in accordance with the said provisions as if the provisions of sub-section (1), and the amendments made in sub-section (8) of section 13 had been in force at all material times."

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-59

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 36 ಕೇಶಾಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:19.08.2023.

ದಿನಾಂಕ: 15.08.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE INTER-SERVICES ORGANISATIONS
(COMMAND, CONTROL AND DISCIPLINE) ACT, 2023 (NO. 28 OF 2023) ಅನ್ನು
ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-15082023-248104
CG-DL-E-15082023-248104

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 32] नई दिल्ली, मंगलवार, अगस्त 15, 2023/ श्रावण 24, 1945 (शक)
No. 32] NEW DELHI, TUESDAY, AUGUST 15, 2023/SRAVANA 24, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th August, 2023/Sravana 24, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th August, 2023 and is hereby published for general information:—

THE INTER-SERVICES ORGANISATIONS (COMMAND, CONTROL AND DISCIPLINE) ACT, 2023

No. 28 OF 2023

[15th August, 2023.]

An Act to empower the Commander-in-Chief or the Officer-in-Command of Inter-services Organisations in respect of service personnel who are subject to the Air Force Act, 1950, the Army Act, 1950 and the Navy Act, 1957, who are serving under or attached to his command, for the maintenance of discipline and proper discharge of their duties, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Inter-services Organisations (Command, Control and Discipline) Act, 2023.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Application of
Act.

2. The provisions of this Act shall apply to all persons who are subject to the Air Force Act, 1950, the Army Act, 1950 and the Navy Act, 1957, and to persons of such other forces as the Central Government may specify, by notification, under section 4, who are serving in or attached to an Inter-services Organisation.

45 of 1950.
46 of 1950.
62 of 1957.

Definitions.

3. (1) In this Act, unless the context otherwise requires,—

(a) "Air Officer" means any officer of the Air Force above the rank of group captain;

(b) "Chief of Defence Staff" means an officer of the regular Army, or the Indian Navy, or the Air Force, as the case may be, appointed as such by the Central Government;

(c) "Commander-in-Chief" means a General Officer of the regular Army, or a Flag Officer of the Indian Navy, or an Air Officer of the Air Force, appointed as Commander-in-Chief of a Joint Services Command, and in his absence, the officer on whom the command devolves;

(d) "Commanding Officer" means the officer in actual command of the unit, ship or establishment and includes an officer appointed as such by the Commander-in-Chief or the Officer-in-Command, as the case may be, of an Inter-services Organisation;

(e) "Flag Officer" means an officer of the rank of Admiral of the Fleet, Admiral, Vice-Admiral or Rear-Admiral;

(f) "General Officer" means an officer of the regular Army above the rank of Brigadier;

(g) "Inter-services Organisation" means a body of troops including a Joint Services Command consisting of persons, subject to the Air Force Act, 1950, the Army Act, 1950 and the Navy Act, 1957 or any two of the said Acts;

45 of 1950.
46 of 1950.
62 of 1957.

(h) "notification" means a notification published in the Official Gazette;

(i) "officer", in relation to an Inter-services Organisation, means an officer as defined in clause (xxiii) of section 4 of the Air Force Act, 1950, or clause (xviii) of section 3 of the Army Act, 1950, or clause (16) of section 3 of the Navy Act, 1957, as the case may be;

45 of 1950.
46 of 1950.
62 of 1957.

(j) "Officer-in-Command" of an Inter-services Organisation means either a General Officer of the regular Army, or a Flag Officer of the Indian Navy, or an Air Officer of the Air Force, appointed as the Officer-in-Command of an Inter-services Organisation, other than Joint Services Command, and in his absence, the officer on whom the command devolves;

(k) "regulations" means the regulations made under the respective Service Acts;

(l) "rules" means the rules made under this Act and under the respective Service Acts, as the case may be;

(m) "Service Acts" means the Air Force Act, 1950, or the Army Act, 1950, or the Navy Act, 1957 or any two of the said Acts or all the said Acts; and

45 of 1950.
46 of 1950.
62 of 1957.

(n) "service personnel" means persons who are subject to any of the Service Acts.

(2) Words and expressions used herein and not defined but defined in the Air Force Act, 1950, or the Army Act, 1950, or the Navy Act, 1957 shall have the meanings, respectively, assigned to them under the said Acts.

45 of 1950.
46 of 1950.
62 of 1957.

CHAPTER II

SPECIAL PROVISION FOR CERTAIN FORCES

4. (1) The Central Government may, by notification, specify any force or any part thereof, raised and maintained in India under the authority of the said Government, to which all or any of the provisions of this Act shall, with or without modifications, apply and accordingly all the officers referred to in clause (i) of sub-section (1) of section 3 shall be deemed to be officers within the meaning of the respective Acts relating to the said forces.

Special provision for certain forces under Central Government.

(2) Upon issuance of a notification under sub-section (1), the authority to exercise all the disciplinary and administrative powers under the respective Acts governing such force or any part thereof including the powers conferred by warrants or commissions issued under such Acts governing that force or any part thereof, shall vest in the Commander-in-Chief or the Officer-in-Command, as the case may be, of the Inter-services Organisation.

(3) Where any of the provisions of this Act applies to a force or any part thereof as referred to in sub-section (2), the Central Government may, by notification, direct that by what authority or which officer, the jurisdiction, powers or duties incidental to the operation of the provisions of this Act shall be exercised or performed in respect of that force or any part thereof.

CHAPTER III

CONSTITUTION OF INTER-SERVICES ORGANISATION AND ITS OFFICERS

5. (1) The Central Government may, by notification, constitute an Inter-services Organisation, which may include a Joint Services Command, comprising of units or service personnel who are subject to any of the Service Acts, as may be placed under the command of the Commander-in-Chief or, as the case may be, the Officer-in-Command.

Constitution of Inter-services Organisation or Joint Services Command.

(2) The Central Government may, by an order published in the Official Gazette, direct that any power exercisable by the Commander-in-Chief or, as the case may be, the Officer-in-Command may also be exercisable by any other officer specially empowered in this behalf by the said Government.

6. (1) Notwithstanding anything contained in this Act,—

(a) the Inter-services Organisations constituted by the Central Government and functioning as such immediately before the date of commencement of this Act, shall be deemed to have been constituted under the provisions of this Act;

(b) the Commander-in-Chief or, as the case may be, the Officer-in-Command of an Inter-services Organisation, who has been appointed and functioning as such immediately before the date of commencement of this Act, shall be deemed to have been appointed under the provisions of this Act.

Existing Inter-services Organisations and Commander-in-Chief or Officer-in-Command to continue.

(2) Nothing contained in this Act shall render invalid any action taken or acts performed, immediately before the commencement of this Act, by the Inter-services Organisation, or by the Commander-in-Chief or by the Officer-in-Command, as the case may be, of an Inter-services Organisation, while functioning as such under any law applicable at that time.

7. (1) The Commander-in-Chief or, as the case may be, Officer-in-Command of an Inter-services Organisation, shall be the head of such Inter-services Organisation and shall exercise command and control over the personnel serving in or attached to that Inter-services Organisation, for the purpose of maintenance of discipline and proper discharge of their duties.

Powers of Commander-in-Chief or Officer-in-Command.

(2) For the purposes of sub-section (1), the Commander-in-Chief or, as the case may be, the Officer-in-Command of an Inter-services Organisation shall be competent to exercise all the disciplinary and administrative powers vested in and exercised by—

- (a) the General Officer Commanding the Army;
- (b) the Flag Officer Commanding-in-Chief of a Naval Command;
- (c) the Air Officer Commanding-in-Chief of an Air Command;
- (d) any other officer or authority specified in the Service Acts or in the rules and regulations made thereunder, including the powers conferred by warrants or commissions issued under the provisions of such Service Acts; and
- (e) any other officer or authority as may be specified in the notification issued under section 4.

Commanding
Officer.

8. The Commanding Officer of an Inter-services Organisation shall, in addition to having command over any unit, ship or establishment, also perform such duties as may be assigned to him in respect of such Inter-services Organisation by its Commander-in-Chief or, as the case may be, the Officer-in-Command and shall be empowered to initiate all disciplinary or administrative actions over the personnel appointed, deputed, posted or attached to that Inter-services Organisation.

Superintendence
of Central
Government.

9. The superintendence of the Inter-services Organisation shall vest in the Central Government, which shall have the power to issue directions to each of such organisations, on any matters concerning national security or general administration, if it considers necessary and expedient so to do in the public interest.

Power to
declare
persons to be
on active
service.

10. Notwithstanding anything contained in the Service Acts, the Central Government may, by notification, declare that any service personnel or class of service personnel to whom the Service Acts apply shall, with reference to any Inter-services Organisation in which he or they may be serving in or attached to or with reference to any provision of this Act, be deemed to be on active service within the meaning of this Act and the Service Acts.

CHAPTER IV

MISCELLANEOUS

Power to
make rules.

11. The Central Government may make rules for the purposes of carrying out the provisions of this Act.

Overriding
effect of this
Act.

12. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Protection of
action taken
in good faith.

13. No suit, prosecution or any other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Power to
remove
difficulties.

14. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Laying of
rules before
Parliament.

15. Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive

sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-60

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 37 ಕೇಶಾಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:19.08.2023.

ದಿನಾಂಕ: 15.08.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE PHARMACY (AMENDMENT) ACT, 2023
(NO. 29 OF 2023) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-15082023-248103
CG-DL-E-15082023-248103

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 31] नई दिल्ली, मंगलवार, अगस्त 15, 2023/ श्रावण 24, 1945 (शक)
No. 31] NEW DELHI, TUESDAY, AUGUST 15, 2023/SRAVANA 24, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th August, 2023/Sravana 24, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th August, 2023 and is hereby published for general information:—

THE PHARMACY (AMENDMENT) ACT, 2023

No. 29 OF 2023

[15th August, 2023.]

An Act further to amend the Pharmacy Act, 1948.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. This Act may be called the Pharmacy (Amendment) Act, 2023.

Short title.

8 of 1948.

2. After section 32B of the Pharmacy Act, 1948, the following section shall be inserted, namely:—

Insertion of new section 32C.

Jammu and
Kashmir
Act No.
LIII of
2011
(1955 A.D.).

"32C. Notwithstanding anything contained in section 32, any person whose name has been entered in the register of pharmacists maintained under the Jammu and Kashmir Pharmacy Act, 2011 or possesses qualification (medical assistant/pharmacists) prescribed under the said Act shall be deemed to have been entered in the register of pharmacists prepared and maintained under Chapter IV of this Act, subject to condition that an application to be made in this behalf within a period of one year from the commencement of the Pharmacy (Amendment) Act, 2023 and on payment of such fee,

Special provision relating to persons registered or qualified under Jammu and Kashmir Pharmacy Act, 2011.

and in such manner, as may be prescribed by the Government of Union territory of Jammu and Kashmir and Administration of Union territory of Ladakh."

DR. REETA VASISHTA,
Secretary to the Govt. of India.

CORRIGENDUM

THE FOREST (CONSERVATION) AMENDMENT ACT, 2023

No. 15 OF 2023

In the FOREST (CONSERVATION) AMENDMENT ACT, 2023 (15 OF 2023), as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 4th August, 2023, Issue No. 18, on page 2, in line 1, *for* "Nationality", *read* "Nationally".

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-61

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 23 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 04.05.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Minimum Standard Protocol for Semen
Stations for Prevention and Control of Infectious and Contagious Diseases through Semen
Rules, 2023ರ Notification-GSR 370(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING**(Department of Animal Husbandry and Dairying)****NOTIFICATION**

New Delhi, the 4th May, 2023

G.S.R 370(E).—Whereas, the Central Government had, in the exercise of its power under section 42 of the Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009, published draft rules of the Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen Rules, 2023, *vide* dated 25th January, 2023, for inviting objections and suggestions from all persons likely to be affected thereby and notice was given that the said rules would be taken into consideration by the Central Government on or after the expiry of thirty days from the date on which copies of the said draft notification was made available to the public;

And whereas, copies of the said draft notification were made available to the public on 25th January, 2023;

And whereas, all the objections and suggestions received in response to the aforementioned draft notification have been duly considered by the Central Government.

Now, therefore, in the exercise of the powers conferred by section 42 of the Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009, the Central Government hereby makes the rules, namely:-

1. Short title and commencement.— (1) These rules may be called the Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen Rules, 2023.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions.— In these rules, unless the context otherwise requires,—

(a) “Act” means the Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009;

(b) “artificial insemination” means the process of depositing disease-free bovine semen in the body of the uterus of a mature bovine female with the intention of making it pregnant;

(c) “biosecurity” means those practices, policies, or procedures employed at semen stations to prevent and control diseases entering into the herd attached at Annexure-2;

(d) “bovine” means related to cattle and includes cow and its progenies and buffalo and its progenies;

(e) “bull” means Adult male cattle or buffalo used for the collection of semen;

(f) “bull calf” means a male cattle or buffalo which has not yet reached puberty;

(g) “bulls of known health status” means bulls sourced from a semen station or rearing station that is strictly adhering to the disease testing standards as mentioned in Annexure -3 (b);

(h) “bulls of unknown health status” means bulls sourced from a village or a farm where all the animals of the farm or the village have not been tested or screened against the ‘diseases’ as mentioned in Annexure- 3 (a);

(i) “disease prevention protocol” means the standards specified by the Central Government from time to time and to be adhered to by semen stations intending to use bovine bulls for semen production, semen storage and distribution in accordance with disease testing protocols appended to Schedule-I;

(j) “disease testing protocols” means the schedule for testing bulls against diseases listed under the Act at labs identified by Central Government and appended to Annexure-1;

(k) “Forms” means the Forms appended to these rules;

(l) “quarantine” means the process to confirm any bull or calf, whether diseased or not and put such bull, in isolation in a specific place, together with or separately for a period of time as specified in the Act appended to Annexure-3;

(m) “Schedule” means the Schedule appended to these rules;

(n) “semen station” means a premise, where a facility is set up for the production, processing, storage and distribution of bovine semen for artificial insemination;

(o) “testing and management of diseases” means the testing of diseases as specified in the Act and managing diseases in such a manner that their causative organism is not present in the bull or semen doses.

3. Power of the Central Government.— (1) The Central Government shall specify disease prevention protocol and disease testing protocol for bovine bulls available at all semen stations in the territory of India.

(2) The disease prevention protocol laid down by the Central Government shall be amended from time to time on basis of the recommendations made by the experts working in the field.

(3) The Central Government shall nominate experts to visit the semen stations to verify the implementation of disease prevention protocol and disease testing protocol for bulls available at semen stations.

- (4) The Central Government shall identify and notify the labs for disease testing of bulls available at semen stations.
- (5) The Central Government shall prepare an online portal to submit requests for testing of disease the bulls as per diseases listed under the Act, to conduct tests in the labs that have been already identified and notified.
- (6) The labs shall submit disease testing reports to the semen station as referred in Schedule-I within a period of thirty days of receipt of the request for disease testing from the semen station.
4. **Power of State Government, Department of Animal Husbandry.-** (1) The State Government, Department of Animal Husbandry shall direct all the semen stations to undertake testing of the bulls through the labs notified by the Central Government as mentioned in Annexure-1.
- (2) The State Government, Department of Animal Husbandry shall register all semen stations operating under their jurisdiction only after obtaining recommendations from experts nominated by the Central Government and satisfying that bulls available at semen stations are free from all diseases as listed under the Act and following biosecurity standards as mentioned in Annexure-2
- (3) The State Government, Department of Animal Husbandry shall allow only registered semen stations to supply or store or sale semen doses in the territory of the State.
- (4) The State Government, Department of Animal Husbandry shall treat all unregistered semen stations as 'infected areas' under section 20, of the Act and take action against them as specified under that Act.

FORM "A"

Application for registration or renewal of registration of Semen Station under the Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen Rules, 2023:-

1. Applicant's Name :
2. Applicant's full address with an email Identity document, Phone Number, Fax No, etc:
3. Names of the Directors, Proprietors, partners, owners, etc., of Applicant :
4. Location of semen station:
5. Proposed / Installed annual semen production capacity (lakh doses per year):
6. Breed-wise list of breeding bulls proposed for semen collection (in the specified format):
7. List of persons engaged and their qualifications:
8. Registration number of semen station, in case of renewal with a copy of the registration.

I/we hereby undertake to comply with all the provisions of the Bovine Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen Rules, 2023

Name of Authorised Person:

Designation:

Place:

Date :

Signature

FORM "B"

Certificate of Registration of Semen Station under the Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen, Rules, 2023:

This registration shall be displayed in a prominent and conspicuous place of the business premises	
Name and Address of the holder of Certificate of Registration :	Registration Number:
Location of Semen Station	Registration valid from _____ to _____ (Two years)
List of certified bulls is attached.	
Registration is granted subject to the provisions of Minimum Standard Protocol for Semen Stations for Prevention and Control of Infectious and Contagious Diseases through Semen, Rules, 2023	

The holder of the registration certificate shall comply with all the directions and conform to the specifications issued by the Government of India from time to time.

Place: _____

(State)

Date: _____

SCHEDULE -I

Disease Prevention Protocol

Introduction

The disease prevention protocol has certain requirements in Biosecurity and Animal Health – termed as mandatory requirements. The semen stations have to compulsorily fulfill so as to qualify these requirements for registration. The Biosecurity and Animal Health Standards are therefore important and vital components to contain the spread of diseases in the territory of India. The disease prevention protocol includes the following, namely:-

- (1) List of diseases and labs identified for disease testing at Annexure-1;
- (2) Standards for Biosecurity at Annexure-2;
- (3) Quarantine Standards at Annexure- 3;
 - (i) Quarantine of adult bulls of unknown health status at Annexure-3 (a);
 - (ii) Quarantine of adult bulls of known health status at Annexure-3 (b);
 - (iii) Quarantine of calves between two months of age to sexual maturity as mentioned in Annexure- 3 (c);
- (4) Testing and management of diseases;
 - (i) Testing and management of Bovine Tuberculosis at Annexure-4 (a);
 - (ii) Testing and management of Johne's Disease at Annexure-4 (b);
 - (iii) Testing and management of Bovine Brucellosis at Annexure-4 (c);
 - (iv) Testing and management of Bovine Genital Campylobacteriosis at Annexure-4 (d);
 - (v) Testing and management of Bovine Trichomoniasis at Annexure-4 (e);
 - (vi) Testing and management of Foot and Mouth Disease at Annexure-4 (f);
 - (vii) Testing and management of Infectious Bovine Rhinotracheitis at Annexure-4 (g);
 - (viii) Testing and management of Bovine Viral Diarrhoea at Annexure-4 (h);

Annexure-1: List of diseases and Labs identified for disease testing

Disease	Test	Sample	Tested at or by officers of
Bovine Brucellosis (BB)	ELISA	Serum	CDDL /RDDL / NDDB/ University labs
Bovine Tuberculosis (bTB)	DTH-Tuberculin PPD	Intra-dermal on the bull	Semen station / CDDL /RDDL/ University labs
Johne's Disease (JD)	DTH- Johnin PPD	Intra-dermal on the bull	Semen station / CDDL /RDDL / NDDB/ University labs
Bovine Trichomoniasis	Agent identification	Preputial washings /scrappings	CDDL /RDDL / NDDB/ University labs
Bovine Genital Campylobacteriosis (BGC)	Agent identification	Preputial washings/ scrappings	CDDL /RDDL / NDDB/ University labs
Infectious Bovine	ELISA	Serum	CDDL /RDDL / NDDB/

Rhinothracheitis (IBR)			University labs
	Real-Time PCR	Semen	CDDL /RDDL / NDDB/ University labs
Bovine Viral Diarrhoea (BVD)	Ag ELISA	Serum	CDDL /RDDL / NDDB/ University labs
	PCR	Serum	CDDL /RDDL / NDDB/ University labs
Foot and Mouth Disease (FMD)	ELISA	Serum	ICAR-DFMD / NDDB/ University labs

Note:

(1) Details of the tests to be conducted

- (i) ELISA- The Enzyme-Linked Immunosorbent Assay;
- (ii) DTH-Tuberculin PPD- Delayed type Hypersensitivity- Tuberculin Purified protein derivative;
- (iii) DTH- Johnin PPD- Delayed type Hypersensitivity - Johnin Purified protein derivative;
- (iv) Real-Time PCR- Real-time polymerase chain reaction;
- (v) Ag-ELISA- Antigen detection enzyme-linked immunosorbent assay;
- (vi) PCR- Polymerase chain reaction.

(2) bTB and JD testing by DTH at Quarantine Station as well as Rearing Station shall be performed by the officers of the semen station.

(3) Labs for disease testing: (i) all the tests shall be conducted by the officials of the Central Disease Diagnostic Laboratory (CDDL) or Regional Disease Diagnostic Laboratory (RDDL) or Centre for Analysis and Learning in Livestock and Food (CALF), National Dairy Development Board (NDDB) or ICAR- Directorate of Foot and Mouth disease (ICAR-DFMD) or Government Veterinary University that are accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) as the case may be.

(ii) test reports from other agencies will not be considered.

(4) Teasers and other animals resident in the semen stations are also subjected to similar disease testing, vaccination and medications for maintaining their health status.

Annexure-2: Biosecurity

Standards for Biosecurity:

The Standards for Biosecurity shall be mandatorily complied by the frozen semen station to qualify for registration. The Standards for Biosecurity are classified under the following, namely:-

(1) minimum standards for infrastructure,-

- (i) physical separation of high bio-secure zone (bull sheds, collection arena and semen processing lab) from other areas of the frozen semen station by a solid boundary wall.
- (ii) availability of appropriate size functional 'Tyre-dip' and 'foot bath' at the entry point into the frozen semen station.

(2) minimum standards for personnel,-

- (i) the frozen semen station is under the direct supervision of a veterinarian.
- (ii) a veterinarian is designated as the Biosecurity Officer of the semen station.

(3) minimum standard for practices,-

- (i) demarcation of bio-secure zones (High, medium and low) with signage.

(4) minimum standards for compliance,-

- (i) The frozen semen station is free from Bovine Tuberculosis, Johne's Disease, Bovine Brucellosis, Bovine Genital Campylobacteriosis, Trichomoniasis and Foot and Mouth Disease at the time of evaluation.
 - (ii) animals are inducted into the frozen semen station only after quarantine as per quarantine standards outlined in Annexures – 3 (a), 3 (b) and 3 (c).
 - (iii) ring vaccination (Ten Km) and routine vaccination (in Frozen Semen Station) is carried out as per schedule.
- (5) minimum standards for documentation,-
- (i) disease test reports conforming to the specified testing schedules of disease testing as appended in Annexure 4 (a) to 4 (h).
 - (ii) vaccination reports of frozen semen station and ring vaccination zone conforming to prescribed schedules available.
 - (iii) semen station shall be linked with National Digital Livestock Mission for proper monitoring.

Annexure-3: Quarantine Standards

Annexure-3 (a): Quarantine of adult bulls of unknown health status:-

Quarantine period	(i) minimum sixty days or long enough to allow at least two tests for all diseases in the context of the frozen semen station to be performed during quarantine with a minimum interval of thirty days between the two tests; (ii) in the case of Tuberculosis (TB) and Johne's Disease (JD) the interval between the two tests should not be less than forty-two days. Perform one test within the last thirty days of the extended quarantine.	
Shifting of bulls from the quarantine	within thirty days from the date when the last negative test was performed.	
Action on finding a positive result	BB, TB, JD, BGC, Trichomoniasis	cull or remove the positive bull and put all the remaining bulls under extended quarantine.
	IBR	(i) all semen stations should aim to maintain IBR negative bulls; (ii) in positive herds, sero-positive and sero-negative animals should be separately housed and the semen from sero-positive bulls and sero-negative bulls shall be processed separately; (iii) each semen batch collected from IBR sero-positive animals shall be tested by real-time PCR as per OIE protocol; (iv) semen positive for IBR by real-time PCR shall be destroyed by autoclaving; and (v) only real-time PCR-negative semen shall be used in the field.
	BVD	bulls positive by Ag ELISA shall be isolated and tested again after two months and if positive shall be culled or removed. No extended quarantine is required for other animals.
Extended quarantine	(i) for a period of minimum sixty days or long enough to allow at least two tests for the diseases mentioned above to be performed, from the day last positive bull was culled or removed; (ii) perform one test within the last thirty days of the extended quarantine. The intra-dermal tuberculin or Johnin test for TB or JD can be undertaken on the same animals after a minimum interval of forty-two days from the last test.	
Action on finding a positive during extended quarantine	in quarantine, if the bulls are housed and managed,- (i) individually - remove only the positive bull; (ii) in groups (not more than three animals in each group) – remove all bulls in the group in which positive bull was detected; (iii) free and not in groups- remove all the bulls.	

Annexure-3 (b): Quarantine of adult bulls of known health status and those shifted between farms of the same management:-

Quarantine period	minimum thirty days during which at least one test for all MSP diseases should be performed
Shifting of bulls from the quarantine	within thirty days of the last negative test
Action on finding a positive result	same as "A" above
Extended quarantine	(i) for a period of minimum of thirty days from the day last positive bull was culled or removed; (ii) perform one test within the last thirty days of the extended quarantine. The intra-dermal tuberculin or Johnin test for TB or JD can be undertaken on the same animals after a minimum interval of forty-two days from the last test.
Action on finding a positive during extended quarantine	in quarantine, if the bulls are housed and managed:- (i) individually - remove only the positive bull; (ii) in groups (not more than three animals in each group) – remove all bulls in the group in which positive was detected; (iii) free and not in groups- remove all the bulls.

Annexure-3 (c): Quarantine of calves between two months of age and sexual maturity:-

Quarantine period	(i) minimum sixty days or sufficient to allow at least two tests for each of the MSP diseases to be performed with a minimum interval of thirty days between the tests; (ii) in the case of TB and JD the interval between the two tests should not be less than forty-two days.	
Shifting of calves from quarantine	within thirty days of negative results.	
Action to be taken on finding a positive calf	TB, JD	remove the positive calf and put all the remaining calves under extended quarantine.
	BGC and Trichomoniasis	(i) tests conducted only on calves immediately after attaining puberty; (ii) remove the positive calf and put all the remaining calves under extended quarantine.
	BB	remove the positive calf irrespective of age and extend the quarantine period for the remaining calves or if the positive calf is less than Nine months old, isolate the calf till it is Nine months old and retest. Calf positive at retesting should be removed.
	IBR	(i) the IBR serological status of the dam need not to be considered while selecting the male calf; (ii) serological status of the bull calves shall be assessed from six months of age onwards; (iii) sero-positive and sero-negative animals should not be mixed and shall be housed separately while in quarantine; (iv) test results by RT-PCR each batch of semen collected throughout the period the sero-positive animal is maintained at the semen station; (v) semen batches found positive for IBR should be destroyed.

Extended quarantine	(i) for a period of a minimum of thirty days from the day, the last positive calf was removed; (ii) perform one test within the last thirty days of the extended quarantine and the intra-dermal tuberculin or Johnin test for TB or JD test can be undertaken on the same animals after a minimum interval of forty-two days from the last test.
Action on finding a positive during extended quarantine	in quarantine, if the male calves are housed and managed: (i) individually - remove only the positive calf after castration; (ii) in groups (not more than three animals in each group) – remove all calves in the group in which positive was detected after castration; (iii) free and not in groups- remove all the calves after castration.

Annexure-4: Testing and Management of Diseases

Annexure – 4 (a): Testing and management of Bovine Tuberculosis:

Name of test	delayed hypersensitivity – single intra dermal (SID) Test
Reagent used	bovine tuberculin PPD
Testing done	on-site, where animals are housed
Eligible animals	all animals aged six weeks and above.
Result criteria	(i) positive: Increase in skin thickness of four millimeter or more, or presence of clinical signs viz. exudation, necrosis, pain and inflammation of the lymphatic duct of that region or the lymph node, seventy-two hours post-inoculation; (ii) negative: Increase in skin thickness less than two millimeter and without clinical signs viz. exudation, necrosis, pain, inflammation of the lymphatic duct of that region or the lymph node, Seventy-two hours post-inoculation; (iii) inconclusive: Increase in skin thickness of more than two millimeter and less than four millimeter absence of above clinical signs, Seventy-two hours post-inoculation.
Action to be taken on inconclusive animal	(i) immediate isolation from the rest of the herd. Semen collection should be stopped temporarily till tested negative; (ii) only if the animal is negative during the re-testing after forty-two days, it may be allowed with the rest of the herd and semen released from quarantine.
Action to be taken on Positive animal	immediate isolation and removal from the herd (within two days) after castration
Frozen semen doses of the inconclusive animal	(i) semen collection may be stopped during isolation; (ii) the frozen semen doses since the last negative test should also be kept under quarantine; (iii) if found positive on re-testing, destroy all the frozen semen doses since the last negative test.
Frozen semen doses of the positive animal	destroy frozen semen doses of the positive animal since the last negative test.
Positive herd testing	testing not before forty-two days after the culling of the last positive animal.
Negative herd testing	six monthly (\pm 1 week) testing after the last whole herd negative testing.
TB free herd	(i) herd found negative on two consecutive tuberculin tests carried out at an interval of six months, the first being performed six months after the culling of last affected animal; (ii) if frequency of testing is less than two in a year, the testing should establish that all animals in the herd have been negative for the last six months beginning from six months after culling the last affected animal.

Annexure-4 (b): Testing and Management of Johne's Disease:

Name of test	delayed hypersensitivity – single intra dermal (SID) Test, or ELISA
Reagent used	johnin PPD for DTH, or serum antibody ELISA kit
Testing done	on-site, where animals are housed – for DTH CDDL/RDDL/NDDB for ELISA
Eligible animals	all animals aged six weeks or above
Result criteria (DTH)	(i) positive: Increase in skin thickness of four millimeter or more, or presence of clinical signs viz. exudation, necrosis, pain, and inflammation of the lymphatic duct of that region or the lymph node, seventy-two hours post-inoculation; (ii) negative: Increase in skin thickness less than two millimeter and without clinical signs viz. exudation, necrosis, pain, inflammation of the lymphatic duct of that region or the lymph node, seventy-two hours post-inoculation; (iii) inconclusive: Increase in skin thickness of more than two millimeter and less than four millimeter, absence of above clinical signs, seventy-two hours post-inoculation.
Action to be taken on inconclusive animal (DTH)	(i) immediate isolation from the rest of the herd. Semen collection should be stopped temporarily till tested negative; (ii) only if the animal is negative during the re-testing after forty-two days, it may be allowed with the rest of the herd and semen released from quarantine.
Action to be taken on Positive animal	immediate isolation and removal from the herd (within two days) after castration
Frozen semen doses of the DTH inconclusive animal	(i) semen collection may be stopped during isolation; (ii) the frozen semen doses since the last negative test should also be kept under quarantine; (iii) if found positive on re-testing, destroy all the frozen semen doses since the last negative test.
Frozen semen doses of the positive animal	destroy frozen semen doses of the positive animal since the last negative test.
Positive herd testing	testing not before forty-two days (by DTH) and thirty days (by ELISA) after the culling of the last positive animal.
Negative herd testing	six monthly (plus minus one week) testing after the last whole herd negative testing.
JD negative herd	(i) herd found negative on two consecutive Johnin tests (DTH) or ELISA tests, carried out at an interval of six months, the first being performed six months after culling of the last affected animal; (ii) if frequency of testing is less than two in a year, the testing should establish that all animals in the herd have been negative for the last six months beginning from six months after culling the last affected animal.

Annexure-4 (c): Testing and Management of Bovine Brucellosis (BB):

Name of test	enzyme linked immunosorbent assay (ELISA)
Sample required	serum
Eligible animals	all animals. However, animals up to nine months of age may have maternal antibodies.
Action to be taken on the positive animal	immediate isolation and removal from the herd after castration (within two days)
Frozen semen doses of the positive animal	destroy frozen semen doses of the positive animal since the last negative test.

Positive herd testing	testing thirty to sixty days after the culling of last positive animal.
Negative herd testing	six monthly (\pm 1 week) testing after the last whole herd negative testing.
BB free herd	(i) herd was found negative on two consecutive annual tests; (ii) if the frequency of testing is more than one in a year, the testing should demonstrate that the herd has been negative for the last one year.

Annexure-4 (d): Testing and management Bovine Genital Campylobacteriosis:

Name of test	agent –identification
Sample required	preputial scrapping or preputial washing or semen
Eligible animals	animals immediately after attaining puberty
Positive animal	immediate isolation and removal from the herd (within two days) after castration
Frozen semen doses of the positive animal	destroy frozen semen doses of the positive animal since the last negative test.
Positive herd testing	minimum of thirty days after the culling of the last positive animal.
Negative herd testing	annual (\pm 1 week) testing after the last whole herd negative testing.
Bovine Genital Campylobacteriosis free herd	all animals are negative on two consecutive annual tests.

Annexure-4 (e) : Testing and management of Bovine Trichomoniasis:

Name of test	agent –identification
Sample required	preputial scrapping or washing
Eligible animals	animals above six months of age for crossbreds and one year and above for indigenous and buffalo breeds
Action to be taken on Positive animal	immediate isolation and removal from the herd (within two days) after castration
Frozen semen doses of the positive animal	destroy frozen semen doses of the positive animal since the last negative test.
Positive herd testing	minimum of thirty days after the culling of the last positive animal.
Negative herd testing	annual (\pm 1 week) testing after the last whole herd negative testing.
Bovine Trichomoniasis free herd	all animals are negative on two consecutive annual testings.

Annexure-4 (f): Management of Foot and Mouth Disease:

Immediate action to be taken on the detection of FMD	(i) immediate disinfection of premises and fomites; (ii) destruction of contaminated feed & fodder by burning.
Frozen semen doses of FMD-infected animal	destroy frozen semen collected from infected animals up to one month prior to the onset of the outbreak in the frozen semen station.
Action to be taken on FMD-infected animal	(i) isolate the affected bull immediately; (ii) affected bull is treated and rested (no semen collection) for ninety days after recovery from clinical symptoms.

Animals in the affected farm but not affected by FMD	no semen collection from healthy bulls during the outbreak and up to one month after the last case has recovered.
Semen Sale	if frozen semen sale is from the same campus of the semen station where FMD is reported, suspend semen sale till thirty days after the last case has recovered.
FMD outbreak in areas surrounding the semen station	
Ring vaccination	arrange immediate ring vaccination within a radius of five km around the focus of infection starting from the perimeter towards the focus.
Disinfection	disinfection of the roadsides adjacent to the farm on a daily basis with 4 per cent sodium carbonate solution.
Movement of fodder	stop all fodder movement through areas of infection.
Animal movement	stop the animal movement of semen station through areas of infection.
Movement of farm labour	labourers from infected villages shall not be allowed into animal or agricultural farm areas.

Annexure-4 (g): Testing and management of Infectious Bovine Rhinotracheitis:

Name of the test	enzyme-linked immunosorbent assay (ELISA), RT- PCR
Sample (s) required	serum for ELISA, semen for Real-time PCR (RT-PCR)
Induction of new animals into herd/semen stations	(i) only negative animals will be inducted; (ii) all the animals to be inducted irrespective of their age should be put on hold and inducted only if tested negative after the age of nine months.
Sero-positive bulls at IBR positive semen station	action in order of priority,- (i) immediately cull seropositive animals and castrate them; (ii) if culling is not possible, immediately isolate the animal and process and store their semen separately and test each ejaculate by RT-PCR; (iii) semen positive by Real-time PCR shall be destroyed by incineration. Use only semen that has tested negative by RT-PCR; (iv) test all animals at three months intervals.
Action to be taken on bulls at the IBR free Semen Stations	(iv) all positive bulls should be culled immediately; (v) retest remaining bulls at thirty -sixty days after culling the last positive animals. Repeat (i) and (ii) until the remaining herd tested negative. Thereafter test at six monthly intervals; (vi) the negative herd should be tested at six monthly intervals .
Documentation	records of all ejaculates collected from seropositive bulls, the results of Real-time PCR, details of Real-time PCR-positive ejaculates destroyed and details of agencies where semen has been distributed shall be maintained.

Note:- Please refer to the Guidelines for progressive IBR or BVD control roadmap for semen stations planning to have an IBR-free herd.

Annexure-4.(h): Testing and management of Bovine Viral Diarrhoea:

Name of the test	enzyme-linked immunosorbent assay (ELISA) for detection of antigen (Ag-ELISA) or real-time PCR(RT- PCR)
Sample	serum

Induction of new animals into herd/semen stations	(i) test the animal for Persistent Infection (PI) by testing two times at an interval of at least thirty days by Ag-ELISA; (ii) test by RT-PCR instead of Ag-ELISA for animals up to six months of age; (iii) if the animal is positive on both tests, the animal is considered positive for PI. Only PI-negative animals shall be inducted.
Action to be taken for PI-positive animals	immediately isolate and cull
Semen doses of PI-positive animals	destroy by incineration frozen semen doses of the PI-positive bulls.
Bulls at the semen stations	(i) test all bulls for PI (if not already tested for PI status) by testing two times at an interval of at least thirty days and if the bull is positive on both tests, the bull is considered positive for PI; (ii) all PI-positive bulls shall be culled immediately; (iii) test all new bulls entering the semen station for PI and only PI-negative bulls should enter the semen station.

[F. No. N-05/15/2022-DADF-Dept.]

VARSHA JOSHI, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-62

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 24 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 25.05.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Special Protection Group Rules, 2023
ರ Notification-GSR 388(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HOME AFFAIRS

(Internal Security-I Division)

NOTIFICATION

New Delhi, the 25th May, 2023

G.S.R 388(E).—In exercise of the powers conferred by section 16 of the Special Protection Group Act, 1988 (34 of 1988), the Central Government hereby makes the following rules, namely :-

- 1. Short title and commencement.** - (1) These rules may be called the Special Protection Group Rules, 2023.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definition** — (1) In these rules, unless the context otherwise requires, -
 - (a) “Act” means the Special Protection Group Act 1988 (34 of 1988);
 - (b) “Group” means the Special Protection Group constituted under section 4 of the Act;
 - (c) “Prescribed authority” means the authority as defined in the rule 6 of these rules;(2) Words and expressions used herein and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.
- 3. Constitution of the Special Protection Group.** — The Central Government may constitute a Group which may consist of the following officials, namely :-
 - (a) a Director who shall be appointed by the Central Government at a level of not less than the Additional Director General of police from the Indian Police Service; and
 - (b) such number of members of the Group as mentioned under sub-section (2) of section 5 of the Act.

- 4. Headquarter.** – The headquarter of the Group shall be at New Delhi.
- 5. Manner of appointment and terms of service.** – (a) The officers of All India Services shall be appointed to the Group on deputation by the Central Government on the same terms and conditions as applicable to the officer of the corresponding rank in the Central Government.
- (b) Other members of the Group except All India Services officers shall be appointed on deputation for an initial period of six years.
- (c) The appointment for second tenure may be done with the prior approval of the Central Government for reasons to be recorded.
- 5. Command, supervision, training, discipline and administration of the Group.**– The general superintendence, direction, command and control, supervision, training, discipline and administration of the Group shall vest in the Director.
- 6. Powers and functions of the Director.** –The Director of the Group shall be the functional head and responsible for the implementation of the duties assigned in the Act besides any other duties, orders and instructions assigned in this behalf by the Central Government.
- 7. Providing assistance to Director or Member of Special Protection Group.**–The manner of providing assistance to the Director or member of Special Protection Group in terms of provisions contained in Section 14 of the Act shall be specified by the Central Government through standard operating procedures.

[F. No. VI-23014/218/2022-VS]

ANIL SUBRAMANIAM, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-63

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 25 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 08.06.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Amendment Rules,
2023ರ Notification-GSR 415(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health Research)

NOTIFICATION

New Delhi, the 8th June, 2023

G.S.R. 415(E).—In exercise of the power conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), The Central Government hereby makes the following rules further to amend the Surrogacy (Regulation) Rules, 2022 namely:-

1. (1) These rules may be called the Surrogacy (Regulation) Amendment Rules, 2023.
(2) They shall come into force from the date of their final publication in the Official Gazette.
2. In the Surrogacy (Regulation) Rules, 2022, in rule 2, after clause (a), the following clause shall be inserted, namely: -
(aa) "Couple of Indian Origin means the couple where both husband (male) and wife (female) are Overseas Citizens of India cardholders in accordance with the Acts/Rules/Instructions/Guidelines being followed by the Ministry of Home Affairs from time to time subject to fulfillment of various criteria as per the Surrogacy (Regulation) Act, 2021".

[F. No. U.11019/15/2022-HR]

ANU NAGAR, Jt. Secy.

Note: The Surrogacy (Regulation) Rules, 2022 were published in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (i) *vide* notification number G.S.R. 460 (E), dated the 21st June, 2022 and subsequently amended *vide* notification number G.S.R. 772 (E), dated the 10th October, 2022 and *vide* notification number G.S.R. 179(E), dated 14.03.2023.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-64

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 26 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 30.06.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Electricity (Amendment) Rules, 2023ರ
Notification-GSR 466(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF POWER

NOTIFICATION

New Delhi, the 30th June, 2023

G.S.R. 466(E).—In exercise of the powers conferred by section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, further to amend the Electricity Rules, 2005, namely:-

1. **Short title and commencement.**-(1) These rules may be called the Electricity (Amendment) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Electricity Rules, 2005 (hereinafter referred to as the said rules), in rule 3,-

(a) in clause (a), for sub-clause (i), the following sub-clause shall be substituted, namely:-

“(i) “not less than twenty-six per cent. of the ownership is held by the captive user:

Provided that if the Captive Generating Plant is set up by an affiliate company, not less than fifty-one per cent. of the ownership, is held by the captive user, in that affiliate company; and”;

(b) in the Explanation occurring after sub-rule (2), for clause (b), the following shall be substituted, namely:-

“(b) “captive user” shall mean the end user of the electricity generated in a Captive Generating Plant and the term “captive use” shall be construed accordingly:

Provided that the consumption of electricity by the captive user may be either directly or through Energy Storage System:

Provided further that the consumption by a subsidiary company, as defined in clause (87) of section 2 of the Companies Act, 2013 (18 of 2013), of a company which is an existing captive user shall also be admissible as captive consumption by the captive user.’

3. In the said rules, after rule 4, the following rules shall be inserted, namely:-

(4A) Where any entity has been granted licence under section 14 of the Act, the period of the licence shall be in accordance with the terms and conditions of the licence granted by the Appropriate Commission;

(4B) Where an entity is a deemed licensee under the first, second and fifth proviso to section 14 of the Act, the period of the licence shall be twenty five years from the date of the coming into force of the Act;

(4C) The licence granted by the Appropriate Commission under section 14 of the Act and the deemed licence under first, second and fifth proviso to said section 14 shall be deemed to be renewed unless the same is revoked:

Provided that such renewal shall be for a period of twenty five years at a time or for a lesser period, if requested by the licensee:

Provided further that where the Appropriate Commission has renewed the licence for a particular period before the notification of these rules, the licence shall be deemed to be renewed for that particular period under these rules.

Provided also that this rule shall not apply to the licence granted to transmission developers, selected through tariff based bidding, under section 63 of the Act.

4. In the said rules, in Rule 19.-

(A) in sub-rule (1),-

(i) in proviso to clause (c), for the word “implementing agency”, the words “intermediary procurer”, shall be substituted; and

(ii) in clause (m), for the word ‘provide public’, the words “publish” shall be substituted;

(B) in sub-rule (2), for the words “renewable energy generators”, the words “end procurers” shall be substituted.

5. In the said Rules,

(A) in Schedule-I,-

(i) for the words “Tariff for a particular month is calculated based on actual energy supplied to end procurer from the Pool like that solar power central pool, wind power central pool by the intermediary procurer and actual amount to be payable for such supply of power as illustrated below:” the words “Tariff for a particular Month is calculated based on Energy Scheduled to end procurer from the Central Pool (i.e. Solar Power Central Pool, Wind Power Central Pool etc.) by the Intermediary Procurer and the actual amount to be payable for such scheduled energy as illustrated below:” shall be substituted;

(ii) in Table 1 and 2, in column (5), for the words “Schedule Energy supplied during the Month”, the words “Energy Scheduled during the month” shall be substituted;

(B) in Schedule II,-

(i) in paragraph 1, in sub-paragraph (7), in item (ii), for the figures brackets, and letters “6(i)”, the words, brackets, letters and figures “item (i) of sub-paragraph (7)” shall be substituted;

(ii) the heading of paragraph 3 shall be substituted, namely:-

“2. Formula for Computation of Fuel and Power Purchase Adjustment Surcharge”;

(iii) in paragraph 3, for serial numbers (4), (5) and (6), the serial numbers (1), (2) and (3) shall be substituted; and

(iv) in Formula, for the letter and words “C is incremental Average Power Purchase Cost” the letter and words “C is incremental Average Power Purchase Cost (including the change of fuel cost)” shall be substituted.

[F. No. 23/18/2022-R&R]

PIYUSH SINGH, Jt. Secy.

The Principal Rules were published 2005 in the Gazette of India vide notification number G.S.R 379 (E), dated the 8th June, 2005 and subsequent amendments vide notification number G.S.R 667 (E), dated the 26th October, 2006 and notification number G.S.R. 817 (E) dated 31st December, 2020.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-65

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 27 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 05.07.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Multi-Source Edible Oils Grading and
Marking Rules, 2023 ರ Notification-GSR 480(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Agriculture and Farmers Welfare)

NOTIFICATION

New Delhi, the 5th July, 2023

G.S.R. 480(E).—Whereas, the draft of the Multi-Source Edible Oils Grading and Marking Rules, 2023 were published vide notification number G.S.R. 132(E), dated the 24th February, 2023, in the Gazette of India, Extraordinary, Part II, Section 3, sub-Section (i), dated the 24th February, 2023, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the Gazette of India containing the said notification were made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the 24th February, 2023;

And, whereas, the objections and suggestions received from the public in respect of the said draft rules within the specified period have been considered by the Central Government;

Now, therefore, in the exercise of the powers conferred by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), and in supersession of the Blended Edible Vegetable Oils (Grading and Marking) Rules, 1991, except in respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.— (1) These rules may be called the Multi-Source Edible Oils Grading and Marking Rules, 2023.
(2) They shall come into force on the date of their final publication in the Official Gazette.
2. Application.— They shall apply to Multi-Source Edible Oils prepared by blending of any two permitted edible vegetable oils.
3. Definitions.— (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
 - (b) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
 - (c) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark Multi-Source Edible Oil in accordance with the grade standards and procedure provided under these rules and the General Grading and Marking Rules, 1988;

- (d) "Certificate of Authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988 authorising a person or a body of persons to grade and mark Multi Source Edible Oils with the Grade Designation Mark;
- (e) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988 made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
- (f) "Grade Designation Mark" means "AGMARK Insignia" as provided under rule 3;
- (g) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Rules, 2011, made under the Legal Metrology Act, 2009 (1 of 2010); and
- (h) "Schedule" means a Schedule appended to these rules.

(2) Words and expressions used in these rules and not defined but defined in the Agricultural Produce (Grading and Marking) Act, 1937 and General Grading and Marking Rules, 1988 shall have the meanings respectively assigned to them under the said Act or rules.

4. Grade designation mark.—The grade designation mark shall consist of the design of "AGMARK Insignia" as set out in the Schedule-I and incorporating the certificate of authorisation number, the word "AGMARK", name of the commodity and its grade provided that the use of Agmark Replica paper slip shall be allowed for tin packing, for such authorised packers, who have been granted the permission by the Agricultural Marketing Adviser or an officer authorised in this regard or as may be specified from time to time.
5. Grade designations.— The grade designations to indicate the quality of Multi-Source Edible Oils including the criteria for grade designation shall be as set out in Schedule-II.
6. Quality.— For the purposes of these rules, the quality of Multi-Source Edible Oils shall be as provided in Schedule-II.
7. Method of packing.— (1) Multi-Source Edible Oils shall be packed in suitable packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018 and Legal Metrology (Packaged Commodities) Rules, 2011.
- (2) The graded material of small pack sizes of the same lot or batch and grade shall be packed in a master container with complete details thereon along with the Grade Designation Mark.
- (3) Each package shall contain Multi-Source Edible Oil of the same type and of the same grade designation.
- (4) Each package shall be properly and securely closed and sealed so as to disallow spilling and marked with replica numbers issued by the competent authority.
8. Method of Marking.— (1) The Grade Designation Mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988 and the Multi-Source Edible Oils shall be marked suitably on packaging in accordance with the provisions of the Food Safety and Standards (Labeling and Display) Regulations, 2020.
- (2) The following particulars are to be displayed in proper manner on packaging of Multi-Source Edible Oils namely: –
- (a) every package containing an admixture of vegetable edible oils shall carry the following label declaration immediately below its brand name or trade name on front of pack, namely:-

Multi-Source Edible Oil	
(Name and nature* of edible vegetable oil)	% by weight
(Name and nature* of edible vegetable oil).....	% by weight;

(*i.e. Physically/Chemically Refined or Raw form)

- (b) for pack size less than one litre, the font size of the label declaration "MULTI-SOURCE EDIBLE OIL", shall not be less than three millimeter with the length of declaration statement as thirty five millimeter minimum and for label declaration "Name and Nature of edible oil.....percent by weight", font size shall not be less than two millimeter;
- (c) for pack size one litre to below five litre, the font size of the label declaration "MULTI-SOURCE EDIBLE OIL" shall not be less than four millimeter with the length of declaration statement as forty five millimeter minimum and for label declaration "Name and Nature of edible oil.....per cent. by weight" font size shall not be less than 2.5 millimeter;

- (d) for pack size five litre and above, the font size of the label declaration “MULTI-SOURCE EDIBLE OIL” shall not be less than ten millimeter and for label declaration “Name and Nature of edible oil.....percent by weight” font size shall not be less than three millimeter.
- (e) the Multi-Source Edible Oil shall not be sold in loose form and it shall be sold in sealed package weighing not more than fifteen liter or Kilogram. The container having Multi Source Edible Oil shall be tamper proof;
- (f) there shall also be the following declaration in bold capital letters along with the name of product on front/central panel: –

“

“NOT TO BE SOLD LOOSE”;

”

- (g) it shall also not be sold under the common or generic name of the refined oils used in the blend, but shall be sold as “Multi-Source Edible Oil” or any other nomenclature as referred in Food Safety and Standards Regulations (FSSR) for the same time to time; and
 - (h) Multi-Source Edible Oil packaging label shall not use any exaggerated expressions like “Super-Refined”, “Extra-Refined”, “Micro-Refined”, “Double refined”, “Ultra-Refined”.
- (3) In addition to the Grade Designation Mark, following particulars shall be clearly and indelibly marked on each package, namely: –
- (a) name of the commodity;
 - (b) grade;
 - (c) variety or trade name(optional);
 - (d) lot or batch number;
 - (e) date of packing;
 - (f) net weight;
 - (g) name and address of the authorised packer;
 - (h) maximum retail price (inclusive of all taxes);
 - (i) best before _____month from Date of Packing/ Manufacture; and
 - (j) any other particulars as provided under the Legal Metrology (Packaged Commodities) Rules, 2011 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under the provisions of the Act: provided that right quality of ink shall be used for marking on packages.
- (4) The authorised packer may after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988, mark his private trade mark or trade brand on the graded packages provided the same does not indicate quality other than that indicated by the Grade Designation Mark affixed to the graded packages in accordance with these rules.
- 9. Special conditions of Certificate of Authorisation.**– In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules, 1988, the authorised packer shall comply the following conditions namely: –
- (1) either own proper machinery and equipment for expression and refining of the constituent edible vegetable oils or shall have appropriate arrangements for blending and storage of constituent’s edible vegetable oils procured from authorised refineries of the prescribed quality.
 - (2) set up well equipped oil laboratory in his own premise, for testing quality of vegetable oils prior to blending and after blending, The laboratory shall be manned by a qualified chemist approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 9 of the General Grading and Marking Rules, 1988 for testing the quality of constituent oils to be used in blending of Multi-Source Edible Oil.
 - (3) provide all necessary facilities and assistance to the approved chemist for carrying out the grading and marking of the Multi-Source Edible Oil under these rules.

- (4) maintain proper record of analytical reports and quantity of the individual constituent oils used for blending and the production of blends and shall submit periodical returns in the prescribed proforma as specified to Directorate of Marketing and Inspection.
- (5) the premises used for processing, blending and packing of edible oils shall be maintained in hygienic and sanitary conditions with proper ventilation and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.
- (6) the premises shall have adequate storage facilities with pucca floor, free from dampness, any kind of cracks and crevices, rodent and insect infestation.
- (7) the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing, maintenance of records, which may be issued time to time under the provisions of the Act.

Schedule I

(See rule 4)

(Design of Agmark Insignia)



Name of commodity

Grade.....

Schedule II

(See rules 5 and 6)

1. Grade designation and quality of Multi-Source Edible Oil.—

- (1) Multi Source Edible Oil shall be the admixture of any two permitted edible vegetable oils (except mustard oil) where the proportion by weight of any edible vegetable oil used in the admixture is not less than twenty per cent and the individual constituent oil used in the blend shall be of such quality which conforms to the natural characteristics and the quality as prescribed either in the Agmark or the Food Safety and Standards Regulations.
- (2) Minimum requirement:- Multi-Source Edible Oil shall , –
 - (a). be clear;
 - (b). be free from rancidity, obnoxious smell, turbidity, suspended or insoluble matter or any other foreign matter;
 - (c). be free from separated water, sedimentations, added colouring matter and any other flavouring substances ;
 - (d). be free from mineral oil, argemone oil, castor oil, neem oil, Karanj oil, Kusum oil or any other animal fat and non edible oils or fats, hydrocyanic acid, and tricresyl phosphate; and
 - (e). be free from synthetic oil.
- (3) Multi-Source Edible Oils may be fortified with the micronutrients Vitamin 'A' and Vitamin 'D' at the level of nutrients specified in the Food Safety and Standards (Fortification of Foods) Regulations, 2018.
- (4) Multi-Source Edible Oil may contain permitted anti-oxidants, food additives, in the concentration as specified under the Food Safety and Standards Regulations.
- (5) Refined edible vegetable oils used for Multi-Source Edible Oil, if produced by solvent extraction shall be refined before it is supplied for human consumption and shall conform to the standards as laid down or made

under the Food Safety and Standards Regulations and the Hexane limit should not exceed five parts per million.

- (6) for domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticides residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, and other regulations made for domestic trade under the Food Safety and Standards Act, 2006 (34 of 2006).
- (7) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for export.

2. Criteria for grade designation.—

TABLE

Grade Designation	Description	Quality Parameters				Provision of Third Oil in blends	Saturated fatty acids
		Moisture and Volatile matter Percent by Weight (not more than)	Acid value (not more than)	Flash Point (Pensky Martin Closed cup method)	Unsaponifiable matter Percent by Weight		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Refined Oils Blend A	The Blend shall be the admixture of any two permitted refined edible vegetable oils except rice bran oil.	0.2	0.6	Not less than 250°C	Not more than 1.5	May have an ideal ratio of omega 3 and omega 6 in the range of 1:5 to 1:10. if claimed, third oil namely Chia oil and/or Flaxseed/Linseed Oil, upto 5 % of the total oil, may be added,	Shall not contain more than 33% of saturated fatty acids.
Refined Oils Blend B	The blend shall be the admixture of any one of permitted refined edible vegetable oil with refined rice bran oil.	0.2	0.6	Not less than 250°C	Blended with chemically refined rice bran oil : Not more than 3.0		
					Blended with physically refined rice bran oil: Not more than 4.0; provided that oryzanol content be minimum of 0.20 % (by weight) with rice bran oil at 20% level and with a increment of 0.05% with every 5% rise in rice bran oil content in the blend		
Raw and Refined Oils Blend A	The blend shall be the admixture of any one of permitted Raw edible vegetable oil with any of permitted Refined vegetable oil except rice bran oil.	0.2	5.0	Not less than 250°C	Not more than 1.5		

Raw & Refined Oils Blend B	The blend shall be the admixture of any one of permitted Raw edible vegetable oil with refined rice bran oil.	0.2	5.0	Not less than 250°C	Blended with chemically refined rice bran oil : Not more than 3.0		
					Blended with physically refined rice bran oil: Not more than 4.0; provided that oryzanol content be minimum of 0.20 % (by weight) with rice bran oil at 20% level and with a increment of 0.05% with every 5% rise in rice bran oil content in the blend		
Raw Oils Blend A	The blend shall be the admixture of any two permitted raw edible vegetable oils except rice bran oil.	0.2	6.0	Not less than 250°C	Not more than 1.5		

3. Additional requirements.— (1) The following packing conditions of the Multi-Source Edible Oil shall be such as to enable it-

- (a) to withstand transport and handling; and
- (b) to arrive in satisfactory condition at the place of destination.

(2) Multi-Source Edible Oil shall be stored in cool, dry place and properly maintained in a clean and hygienic condition.

[F. No.-Q-11047/07/MSEO/2022-Std]

FAIZ AHMED KIDWAI, Addl. Secy. (Marketing)

Note : The principal rules were published in the Gazette of India Part-II, Section-3 sub-section (i), *vide* number G.S.R. 657(E), dated 29th October, 1991 and were lastly amended *vide* number G.S.R. 422(E), dated 20th April, 1992 and G.S.R. 163(E) dated 2nd May, 2002

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
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PR-66

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 28 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 04.07.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Special Economic Zones (Third Amendment)
Rules, 2023ರ Notification-GSR 481(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

NOTIFICATION

New Delhi, the 4th July, 2023

G.S.R. 481(E).—In exercise of the powers conferred by section 55 of the Special Economic Zones Act, 2005 (28 of 2005), the Central Government hereby makes the following rules further to amend the Special Economic Zones Rules, 2006, namely: -

1. (1) These rules may be called the Special Economic Zones (Third Amendment) Rules, 2023.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Special Economic Zones Rules, 2006, after rule 29A, the following rule shall be inserted, namely: -

‘29B. Procedure of import or export or procurement from or supply to Domestic Tariff Area of ship by a Unit in International Financial Services Centre. - (1) Notwithstanding anything in rule 29, the Unit setup in the International Financial Services Centre approved by the International Financial Services Centre Authority (in this rule referred to as “the Unit”), importing ship shall follow the procedure as given below, namely: -

- (a) the Unit in the International Financial Services Centre shall file Bill of Entry for home consumption in quintuplicate giving therein, description with specially stamped endorsement as “International Financial Services Centre Cargo” along with invoice and packing list through online system with the Authorised Officer who shall register and assign a running annual serial number and assess the Bill of Entry, on the basis of transaction value, which shall not require any counter signature of the Specified Officer;
- (b) while filing the bill of Entry, the entity shall indicate the port of discharge as the respective customs port, where ship is expected to be received first time by the Unit:

Provided that where the Bill of Entry is not assessed on the date of filing itself, the goods shall be allowed to be transferred to place designated by the Unit on the basis of the registered Bill of Entry if an endorsement to this effect has been made by the Authorised Officer:

Provided further that, the place designated by the Unit shall be the customs area or customs port or customs shipyard, where ship is expected to be received for the first time by the Unit:

Provided also that where the ship is supplied free of cost or on loan or lease basis, the Bill of Entry shall be filed jointly in the name of the Unit and the supplier;

- (c) assessed Bill of Entry shall be forwarded by the Authorised Officers to the customs officer at the place of import through an e-mail or any other mode authorised within 24 hours of filing of Bill of Entry under these rules and the same shall be treated as permission for transfer of goods to the place designated by the Unit;
- (d) on receipt of assessed Bill of Entry, the customs officer at the place of import shall inspect marks and numbers of the ship and conduct examination, if necessary, and forward examination or inspection report, including the location where the ship is anchored, stored or parked, to the Authorised Officer through an e-mail or any other mode authorised under these rules within 24 hours of receipt of assessed Bill of Entry.;
- (e) the receipt of the examination and inspection report from customs officer at the place of import by the Authorised Officer shall be deemed to be the arrival of such goods in the International Financial Services Centre by the Unit and completion of the customs procedure for out of charge of the goods;
- (f) the Unit shall be responsible for ensuring that ship imported is under the custody of such person approved under section 45 of the Customs Act, 1962 (52 of 1962), for the respective customs port till the customs discharge of such goods.

(2) In case of procurement of ship from a Domestic Tariff Area by the Unit, the unit shall follow the procedure as given below, namely: -

- (a) lessors setup as an Unit in the International Financial Services Centre may procure ship on purchase or on a lease basis;
- (b) for procurement, all documents including Tax Invoice and any other documents prescribed under the Goods and Services Tax Act, 2017 (12 of 2017) or the rules made thereunder, shall be submitted through online system:

Provided that where the ship is supplied on loan or lease basis by a domestic supplier, all documents for such procurement shall be filed jointly in the name of the Unit and domestic supplier;

- (c) the documents stated in clause (b) shall indicate customs port where ship is expected to be received for the first time by the Unit;
- (d) for examination and inspection of marks and numbers of the ship, the Authorised Officer shall communicate to the customs officer of concerned customs port within twenty-four hours of filing of respective documents by the Unit, through an e-mail or any other authorised mode;
- (e) concerned customs officials at the respective customs port shall carry out examination or inspection of marks and numbers of such ship and forward examination or inspection report, including the location where the ship is anchored, stored or parked, to the Authorised Officer concerned through an e-mail or any other authorised mode within twenty four hours of the receipt of the communication from the Authorised Officer;
- (f) the receipt of the examination or inspection report from the customs officer concerned at the customs port or by the Authorised Officer shall be deemed to be arrival of such goods in the International Financial Services Centre by the Unit and completion of the customs procedure for out of charge of the goods;
- (g) the lessor shall be responsible for ensuring that ship procured is under the custody of such person approved under section 45 of the Customs Act, 1962 (52 of 1962), for the respective customs port till the customs discharge of such ship.

(3) In case of supply of ship on lease or outright basis by the Unit into the Domestic Tariff Area. The Unit shall follow the procedure given below, namely: -

- (a) lessors setup as an Unit located in Special Economic Zone may supply the ship on lease or outright basis into Domestic Tariff Area;
- (b) all Bill of Entry for the Domestic Tariff Area sale and other such documents, as the case may be, prescribed under the Act or the rules made thereunder shall be submitted through online system by the Unit set up in the International Financial Services Centre;
- (c) the documents stated in clause (b) shall indicate the customs port where ship is already anchored, stored or parked by the Unit;
- (d) after assessment of Bill of Entry for Domestic Tariff Area sale by the Authorised Officer, the importer in India shall make payment of duty as applicable;
- (e) for examination and inspection of marks and numbers of the ship, the Authorised Officer shall communicate to the appropriate customs officer of the customs port concerned, as the case may be, within twenty-four

hours of filing of respective documents and payment of duty by the Unit, through an e-mail or any other mode authorised under these rules;

- (f) customs officials at the respective customs port shall carry out examination or inspection of marks and numbers of such ship and forward the examination or inspection report, including the location where the ship is anchored, stored or parked, to the Authorised Officer concerned through an e-mail or any other mode authorised under these rules;
- (g) the receipt of the examination or inspection report from customs officer at the customs port and verification of the details from the assessed Bill of Entry for Domestic Tariff Area sale by the Authorised Officer shall be deemed to be completion of the customs procedure for out of charge of the goods into the Domestic Tariff Area;
- (h) after out of charge of Bill of Entry for Domestic Tariff Area sale has been completed, the Authorised Officer shall intimate the customs officials at the respective customs port to allow the physical removal of ship into India;
- (i) after the removal of ship into the Domestic Tariff Area, the customs officer at the customs port shall intimate the same to the Authorised Officer concerned through email or any other mode authorised under these rules.

(4) In case of export of ship on lease or outright basis by the unit, the unit shall follow the procedure as given below, namely:-

- (a) lessors setup as a Unit in the International Financial Services Centre located in Special Economic Zone may export the ship on lease or outright basis;
- (b) the Shipping Bills and other such documents, as the case may be, prescribed under the Act or the rules made thereunder, shall be submitted by the Unit through online system;
- (c) the documents stated in clause (b) shall indicate port of shipment as the respective customs port where the ship is already anchored, stored or parked by the Unit;
- (d) for examination and inspection of marks and numbers of the ship, the Authorised Officer shall communicate to the appropriate customs officer of customs port concerned, as the case may be, within twenty-four hours of filing of respective documents by the Unit, through an e-mail or any other mode authorised under these rules;
- (e) customs officials at the respective customs port shall carry out examination or inspection of marks and numbers of such ship and forward examination or inspection report, including the location where the ship is anchored, stored or parked, to the Authorised Officer concerned through an e-mail or any other mode authorised under these rules;
- (f) on the receipt of the examination or inspection report from customs officer at the customs port, the Authorised Officer shall complete the customs procedure for Let Export Order of the goods which shall be deemed to be the completion of procedure for export of ship by the International Financial Services Centre Unit;
- (g) after grant of Let Export Order, the Authorised Officer shall intimate the customs officials at the respective customs port to allow the removal of ship outside India physically;
- (h) after the ship is exported, customs officer at the customs port shall intimate the same to the Authorised Officer concerned through email or any other mode authorised under these rules.

Explanation .- For the purpose of this rule "ship" means ship or ocean vessel and includes various types of boats, barges and similar vessels for transport of persons or goods, tugs, pusher boats, dredgers, fire floats, floating cranes, warships or other vessels, etc. '

[F. No. K-43013(13)/2/2022-SEZ]

VIPUL BANSAL, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), *vide* notification number G.S.R 54(E), dated the 10th February, 2006 and lastly amended *vide* notification number G.S.R. 334(E), dated the 27th April, 2023.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-67

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 29 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 11.07.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Amendment Rules,
2023ರ Notification-GSR 494(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health Research)

NOTIFICATION

New Delhi, the 11th July, 2023

G.S.R. 494(E).—In exercise of the powers conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Central Government hereby makes the following rules, further to amend the Surrogacy (Regulation) Rules, 2022, namely:-

1. (1) These rules may be called the Surrogacy (Regulation) Amendment Rules, 2023.

(2) They shall come into force on the date of their publication in Official Gazette.

2. In the Surrogacy (Regulation) Rules, 2022, sub-section (b) of Para 2 in Part 1 of Schedule 1 shall be substituted as under:-

“The Andrologist shall be MCh/DNB in urology or MS General Surgery or FNB/MCh/DM in reproductive medicine with minimum 2 years experience and having hands-on experience of minimum 15 surgical sperm retrieval (namely PESA / TESA / TESE / MESA / MICROTOESE procedures).”

[F. No. U.11019/15/2022-HR]

ANU NAGAR, Jt. Secy.

Note : The Surrogacy (Regulation) Rules, 2022 were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) vide G.S.R. 460 (E) dated 21st June, 2022, and subsequently amended vide notification number vide G.S.R. 772 (E) dated 10th October, 2022, G.S.R. 179 (E) dated 14th March, 2023 and G.S.R. 415(E) dated 8th June, 2023.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-68

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 30 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 11.07.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Vegetable Oils Grading and Marking
(Amendment) Rules, 2023ರ Notification-GSR 497(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Agriculture and Farmers Welfare)

NOTIFICATION

New Delhi, the 11th July, 2023

G.S.R. 497(E).—Whereas, the draft of the Vegetable Oils Grading and Marking (Amendment) Rules, 2023 was published *vide* notification number G.S.R. 192(E), dated the 15th March, 2023 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), to amend the Vegetable Oils Grading and Marking Rules, 1955,

inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the Gazette of India containing the said notification were made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the 15th March, 2023;

And, whereas, the objections and suggestions received from the public in respect of the said draft rules within the specified period have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, namely:-

1. Short title, application and commencement. - (1) These rules shall be called the Vegetable Oils Grading and Marking (Amendment) Rules, 2023.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Vegetable Oils Grading and Marking Rules, 1955 (hereinafter referred to as the said rules), for rule 10, the following shall be substituted, namely:-

“10 (1) Vegetable oils for domestic trade, shall comply with the restrictions in regard to residual levels of metal contaminants, pesticides residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, and other regulations made for domestic trade under the provisions of Food Safety and Standards Act, 2006 (34 of 2006).

(2) The Vegetable oils for export trade, shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for export”.

3. In the said rules, after rule 11, the following rules shall be inserted, namely:-

“12. The Vegetable oils may be fortified with the micronutrients Vitamin A and Vitamin D at the level of nutrients prescribed in Food Safety and Standards (Fortification of Foods) Regulations, 2018.

13. The Vegetable oils may contain permitted anti-oxidants, food additives, in the concentration as specified under Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.

14. The vegetable oils covered under these rules shall comply with the fatty acid composition of the oils as per Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011”.

4. In the said rules, for Schedule I, the following schedule shall be substituted, namely:-

“SCHEDULE-I

Agmark grade designation and definition of quality for Mustard Oil

1. Definition of quality

Grade Designation	Limit of Tolerance								
	Moisture and insoluble impurities percent by wt. (not more than)	Percentage of Natural Essential Oil Content as allylisothiocyanate (Minimum)	Refractive Index at 40°C	Unsaponifiable matter percent by weight (Not more than)	Acid Value (not more than)	Iodine Value (Wij's method)	Saponification Value	Specific gravity at 30°C/30°C	Colour Lovibond scale* in ¼" cell expressed as Y+5R (not deeper than)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Refined	0.10	-	1.4646 to 1.4662	1.2	0.6	96-112	168-177	0.907 to 0.910	15
Grade - I	0.25	0.20			2.0				50
Grade-II	0.25	0.10			4.0				50

Belliers Turbidity Temperature Ever's acetic acid Method°C	Test for Presence of Oryzanol	Test for Presence of Argemone Oil	Test for Presence of Hydrocyanic Acid	Polybromide Test	Test for Presence of Mineral Oil
(11)	(12)	(13)	(14)	(15)	(16)
23.0-27.5	Negative	Negative	Negative	Negative	Negative
23.0-27.5	Negative	Negative	Negative	Negative	Negative
23.0-27.5	Negative	Negative	Negative	Negative	Negative
Note: Grade - I and Grade- II are for Raw and filtered Mustard Oil.					

(17)	(18)
Description	Minimum requirement
Mustard Oil shall be obtained by a process of expression of clean and sound mustard seed of <i>Brassica campestris</i> Linn (yellow and Brown sarson) or <i>Brassica juncea</i> Linn (Lahi, Rai or laha) or <i>Brassica napus</i> (rapeseed or toria) or admixture of these seeds. The oil obtained by expelled pressed method shall be free from solvent extracted oils and hexane residues.	<p>Minimum requirement: (1) Mustard Oil shall,-</p> <ul style="list-style-type: none"> (a) have characteristic and acceptable taste and flavor; (b) be clear and free from turbidity when a filtered sample of oil is kept for 24 hours at 30°C; (c) be free from rancidity, obnoxious smell, suspended or insoluble matter or any other foreign matter; (d) be free from separated water, sedimentations, added colouring matter and any other flavouring substances; (e) be free from synthetic oil. <p>(2). Mustard oil, if produced by solvent extraction shall be refined before it is supplied for human consumption and shall conform to the standards as laid down or made under Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and Hexane should be not more than 5 ppm.</p>

2. Special Condition. - The Mustard oil may be declared as Kachi Ghani or cold pressed, as the case may be, if the content of natural allylisothiocyanate in the oil is not less than 0.20% by weight.”

[F. No.-Q-11047/01/Mustard Oil/2023-Std]

FAIZ AHMED KIDWAI, Addl. Secy. (Marketing)

Note. - The principal rules were published as S.O. 1719, dated 13th August 1955, in the Gazette of India Part-II, Section-3 and were last amended *vide* notification number G.S.R. 383(E), dated the 3rd June, 2009.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ದನ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-69

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 31 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.08.2023.

ದಿನಾಂಕ: 11.07.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Environment (Utilisation of Crop residue by
Thermal Power Plants) Rules, 2023ರ Notification-GSR 499(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ
ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

DRAFT NOTIFICATION

New Delhi, the 11th July, 2023

G.S.R. 499(E).—In exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules to regulate the utilisation of crop-residue by the thermal power plants, namely:-

1. Short title, application and commencement. –

(1) These rules may be called the Environment (Utilisation of Crop residue by Thermal Power Plants) Rules, 2023.

(2) They shall apply to the National Capital Region and the Adjoining Areas as defined respectively in clauses (f) and (a) of sub-section (1) of section 2 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021(29 of 2021).

(3) They shall come into force on the date of their publication in the Official Gazette.

2. Utilisation of crop residue. - All coal based thermal power plants of power generation utilities shall mandatorily use minimum five per cent blend of pellets or briquettes made of crop residue along with coal.

3. Environmental compensation.- For non-utilisation of crop residue as provided in rule 2, the Commission for Air Quality Management in National Capital Region and Adjoining Areas, constituted under the Commission for Air Quality Management of National Capital Region and Adjoining Areas Act, 2021 (29 of 2021), or any officer authorised by that Commission, shall impose and collect the environmental compensation from such thermal power plants on annual basis at the rates specified in the table given below:

(1) Rate of environmental compensation for the year 2024-2025:	
Percentage of crop residue pellets or briquettes utilized on annual basis	Rate of environmental Compensation (Rs. Per unit of electricity generated)
Less than or equal to five per cent but more than four per cent	0.0
Less than or equal to four per cent but more than three per cent	0.0
Less than or equal to three per cent but more than two per cent	0.01
Less than or equal to two per cent but more than one per cent.	0.02
Less than or equal to one per cent but more than zero per cent	0.03
(2) Rate of environment compensation for the year (2025-2026) onwards	
Percentage of crop residue pellets or briquettes utilised on annual basis	Rate of environmental Compensation (Rs. Per unit of electricity generated)
Less than five per cent but more than or equal to four per cent	0.01
Less than four per cent but more than or equal to three per cent	0.02
Less than three per cent but more than or equal to two per cent.	0.03
Less than two per cent but more than or equal to one per cent	0.04
Less than one per cent but more than or equal to zero per cent	0.05

4. Application of these rules in certain cases- The Central Electricity Regulatory Commission or the State Regulatory Commissions, as the case may be, shall determine tariff under the Electricity Act, 2003 (36 of 2003) after taking into consideration the provisions of rule 2.

5. Power to grant relaxation - The Commission for Air Quality Management may, on case to case basis, grant relaxation to thermal power plants, in consultation with the Central Electricity Authority and the Central Pollution Control Board, for addressing any difficulty arising out of circumstances beyond the control of such thermal power plants in its compliance of the provisions of rule 2 and 3 above.

[F. No. Q-15014/16/2021-CPA (part-1)]

NARESH PAL GANGWAR, Addl. Secy.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಮಂಗಳವಾರ, ೨೨, ಆಗಸ್ಟ್, ೨೦೨೩

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-70